

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SOLANA BEACH UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013051014

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On May 23, 2013, Student through counsel filed with the Office of Administrative Hearings (OAH) a Request for Due Process Hearing that named the Solana Beach Unified School District (District). On September 19, 2013, Student filed with OAH a Motion to Amend Complaint together with a proposed Amended Request for Due Process Hearing. On September 23, 2013, counsel for the District filed with OAH a non-opposition to the Motion to Amend.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The Amended Request for Due Process Hearing shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: September 25, 2013

/s/

TIMOTHY L. NEWLOVE
Presiding Administrative Law Judge
Office of Administrative Hearings