

EFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

ANAHEIM CITY SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2013070736

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On July 17, 2013, the Anaheim City School District (District) filed with the Office of Administrative Hearings (OAH) a Due Process Hearing Request (complaint), naming Parent on behalf of Student (Student) as respondent. On September 17, 2013, the District filed a Motion to File an Amend Due Process Hearing and a proposed amended complaint (AC). No opposition was received from the Student. The District seeks to file the AC to include claims related to an Individualized Education Program meeting which occurred on September 9, 2013.

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 complaint 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/

ROBERT HELFAND

Administrative Law Judge

Office of Administrative Hearings