

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

CAPISTRANO UNIFIED SCHOOL
DISTRICT,

OAH Case No. 2015100915

CAPISTRANO UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2015100409

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On October 27, 2015, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Capistrano Unified School District. On February 11, 2016, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). On February 12, 2016, District stated during the telephonic prehearing conference that it did not oppose Student's motion.

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.

DATE: February 17, 2016

DocuSigned by:

Caroline Zuk

CAROLINE A. ZUK

Administrative Law Judge

Office of Administrative Hearings