

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

GREENFIELD UNION SCHOOL  
DISTRICT AND SOUTH MONTEREY  
COUNTY JOINT UNION HIGH SCHOOL  
DISTRICT.

OAH Case No. 2015120609

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On December 11, 2015, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Greenfield Union School District and South Monterey Joint Union High School District. This matter is currently scheduled for hearing beginning April 19, 2016. On April 6, 2016, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint) along with a proposed amended complaint. On April 7, 2016, Greenfield and South Monterey each filed a non-opposition to Student's Motion to Amend.

APPLICABLE LAW

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).)

DISCUSSION

Student seeks to amend his original complaint to include additional allegations for the 2013-2014 and 2014-2015 school years that Greenfield denied him a free appropriate public education by failing to implement a settlement agreement, by denying Parent participation, and by failing to provide appropriate speech and language services. Student also seeks to add allegations for the 2015-2016 school year that South Monterey failed to convene an individualized education program team meeting, failed to implement Student's IEP, failed to

offer a behavior support plan and appropriate behavior supports, and failed to offer or provide appropriate accommodations and modifications. The motion to amend is timely and unopposed, and is granted.

## ORDER

1. Student's motion to amend is granted. The amended complaint shall be deemed filed on the date of this order.
2. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

DATE: April 8, 2016

DocuSigned by:

*Theresa Ravandi*

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THERESA RAVANDI  
Administrative Law Judge  
Office of Administrative Hearings