

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

POWAY UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2010080707

ORDER GRANTING IN PART  
REQUEST FOR EXTENSION OF TIME  
AN AMENDED COMPLAINT

On August 17, 2010, Student filed a Due Process Hearing Request (complaint) against the Poway Unified School District (District). On August 23, 2010, District timely filed a Notice of Insufficiency (NOI), to challenge the adequacy of the complaint. On August 24, 2010, the Office of Administrative Hearings (OAH) granted the District's NOI and gave Student 14 days to file an amended complaint.

On September 3, 2010, Student filed a request for extension of time until September 21, 2010, to file an amended complaint. On September 7, 2010, the District filed an opposition to Student's request.

Student requests additional time to file an amended complaint because Parent, who drafted the complaint, is a layperson and does not fully understand the legal requirements to draft a legally sufficient complaint. The District opposes the request because Parent does not adequately explain the need for additional time, and has not sought the assistance of a mediator, as offered in the August 24, 2010 order. Student established good cause for a one-week extension of time as the order explicitly states what the complaint needs to contain, such as the date of the individualized education programs at issue, for Parent to file a legally sufficient complaint.

Student's request for extension of to file an amended complaint is granted in part. The amended complaint shall be filed and served upon OAH and the District by 5:00 p.m., on September 14, 2010.

IT IS SO ORDERED.

Dated: September 7, 2010

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings

