

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

CONEJO VALLEY UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011040085

ORDER GRANTING STIPULATED
REQUEST TO PERMIT FILING OF
FIRST AMENDED DUE PROCESS
COMPLAINT

On April 4, 2011, Parents on behalf of Student, through counsel, filed with the Office of Administrative Hearings (OAH) a Request for Due Process; Mediation Requested, that named the Conejo Valley Unified School District . Currently scheduled in the case is a prehearing conference on August 10, 2011, and a due process hearing on August 22 to 25, 2011. On August 3, 2011, the parties filed with OAH a Stipulation to File First Amended Complaint and Request for Due Process and to Vacate Existing Prehearing Conference and Hearing Dates. Accompanying the Stipulation was Student's proposed First Amended Request for Due Process; Mediation Requested.

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).)

Here, the stipulated request to permit Student to file a first amended due process complaint in this matter is timely, and is granted. The First Amended Request for Due Process; Mediation Requested shall be deemed filed on the date of this order. The currently scheduled hearing dates in the matter are vacated. 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: August 03, 2011

/s/

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