

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIALTO UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2011070417

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On July 11, 2011, Student filed a Request for Due Process Hearing (complaint), naming District. On July 13, 2011, Student filed a First Amended Request for Due Process Hearing, which purported to correct an error in the name of Student's current school on page 3, with no other changes to the original complaint. Student's filing will be deemed a motion to amend. OAH received no opposition from District.

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: July 18, 2011

/s/

ADRIENNE L. KRIKORIAN  
Administrative Law Judge  
Office of Administrative Hearings