

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

IRVINE UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011081083

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On August 25, 2011, District filed a Due Process Hearing Request (complaint), naming Student as the respondent. On September 20, 2011, the parties filed a Joint Stipulation Regarding District's First Amended Request for Due Process Hearing, which is treated as a Motion to Amend. On September 21, 2011, District filed an amended complaint.

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: September 21, 2011

/s/

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JUNE R. LEHRMAN

Administrative Law Judge

Office of Administrative Hearings