

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

CULVER CITY UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011090039

On June 1, 2011, Culver City Unified School District (District) filed a due process hearing request (District's complaint) naming Parent on behalf of Student (Student) as respondent. On September 1, 2011, Student filed a Due Process Hearing Request (Student's complaint), naming District as respondent. On October 18, 2011, Student, through her attorney, filed a Motion to Amend the Due Process Hearing Request (Student's amended complaint). District filed a Notice of Non-opposition to the motion to amend.

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 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: October 24, 2011

/s/

GLYNDA B. GOMEZ

Administrative Law Judge

Office of Administrative Hearings