

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TWIN RIVERS UNIFIED SCHOOL  
DISTRICTS.

OAH CASE NO. 2011100019

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On September 30, 2011, Parent, on Behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming Twin Rivers Unified School District (District). On December 21, 2011, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint).<sup>1</sup> No opposition was received 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).) Student's 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. The Office of Administrative Hearings will issue a separate scheduling order setting forth the new dates.

IT IS SO ORDERED.

Dated: December 30, 2011

/s/

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GARY A. GEREN  
Administrative Law Judge  
Office of Administrative Hearings

<sup>1</sup> Student also filed the same motion and amended complaint on December 24 and 28, 2011. Ruling on those motions is rendered moot by the issuance of this Order.