

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENTS ON BEHALF OF STUDENT,

OAH CASE NO. 2011111030

v.

BONSALL UNION SCHOOL DISTRICT,

BONSALL UNION SCHOOL DISTRICT,

OAH CASE NO. 2011100419

v.

PARENTS ON BEHALF OF STUDENT.

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On October 12, 2011, the Bonsall Union School District (District) filed a request for due process (complaint) naming Student. Student filed a complaint on November 28, 2011, naming the District. The Office of Administrative Hearings (OAH) consolidated the two cases on November 30, 2011.

On February 16, 2012, the parties filed a stipulated motion to amend Student's complaint, along with a proposed amended complaint. The amended complaint seeks to add allegations concerning Students latest individualized education program meeting.

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 joint 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: February 22, 2012

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings