

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

WILLIAM S. HART UNION HIGH
SCHOOL DISTRICT.

OAH Case No. 2014020637

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 18, 2014, Parents on behalf of Student (Student) filed with the Office of Administrative Hearings a Due Process Hearing Request (complaint), naming the William S. Hart Union High School District as respondent. On July 22, 2014, Student filed with OAH an Amended Request for Due Process Hearing (amended complaint). This filing is deemed a motion to file an amended complaint. No opposition was received from District.

Student's amended complaint contains the same two issues as pled in the complaint. The amended complaint seeks to add an additional issue involving whether District's offered educational program at the May 20, 2014 Individualized Education Program team meeting offers a free appropriate public education for school year 2014-2015.

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).)¹ 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.

¹ All statutory citations are to title 20 United States Code unless otherwise indicated.

IT IS SO ORDERED.

DATE: July 25, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings