

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014030356

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On March 6, 2014, Student filed a due process hearing request (complaint), naming Oakland Unified School District (Oakland). On April 24, 2014, Student filed a motion to amend the complaint and an amended complaint (amended complaint). On April 30, 2014, Oakland filed a non-opposition to the motion to amend. The hearing is currently scheduled to begin on May 6, 2014.

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.

DATE: May 1, 2014

/s/

MARGARET BROUSSARD
Administrative Law Judge
Office of Administrative Hearings