

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CAMPBELL UNION HIGH SCHOOL
DISTRICT.

OAH Case No. 2014090127

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On September 2, 2014, Parent on behalf of Student filed with the Office of Administrative Hearings a Request for Due Process Hearing naming the Campbell Union High School District and the San Andreas Regional Center as respondents.

On September 11, 2014, Student requested that San Andreas be dismissed as a party, which was granted by OAH.

On September 17, 2014, Student filed with OAH a request for leave to file an amended complaint and requested that Campbell's motion to dismiss be denied as moot. The amended complaint reiterates the allegations made as to Campbell and eliminates San Andreas as party as well as requesting different resolutions.

Campbell has not filed an opposition to the motion.

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).)

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

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: September 22, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings