

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

SAN FRANCISCO UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT,

OAH Case No. 2015010664

PARENT ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2014120778

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On December 22, 2014, Student filed a due process hearing request naming San Francisco Unified School District, in Office of Administrative Hearings case number 2014120778. On January 29, 2015, Student filed a motion to amend the due process hearing request (amended complaint). San Francisco filed an opposition to the motion to amend on February 2, 2015, alleging that the motion to amend was not timely because the hearing was scheduled to begin on February 5, 2015. Later on February 2, 2015, Student's case was consolidated with OAH case number 2015010664, the February 5, 2015 hearing date was vacated, and the consolidated matters were scheduled to begin hearing on February 17, 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).) 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: February 4, 2015

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MARGARET BROUSSARD  
Administrative Law Judge  
Office of Administrative Hearings