

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SNOWLINE JOINT UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2015020386

ORDER DENYING MOTION TO  
AMEND COMPLAINT WITHOUT  
PREJUDICE

On February 3, 2015, Student filed a Due Process Hearing Request (complaint), naming Snowline Joint Unified School District.

On May 7, 2015, Student filed a document entitled Motion to Amend Complaint: New Added Issues & New Resolution Request. However, no amended complaint was filed by Student. On May 8, 2015, District opposed the motion. As discussed below, the motion is denied without prejudice to Student re-filing the motion along with a complete proposed amended complaint that states all proposed issues in one document.

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).)

Here, The Student has not filed an amended complaint. The motion to amend is thus denied without prejudice.

IT IS SO ORDERED.

DATE: May 08, 2015

/s/

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TED MANN  
Administrative Law Judge  
Office of Administrative Hearings