

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

NORTON AND SPACE AERONAUTICS
ACADEMY.

OAH CASE NO. 2015020594

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 09, 2015, Parent on behalf of Student filed a Due Process Hearing Request (complaint), naming San Bernardino County Unified School District. On March 13, 2015, Parent on behalf of Student filed a written request to change the identity of the respondent, stating that Parent had intended to name Norton and Space Aeronautics Academy, not San Bernardino County Unified. Student's request is deemed a motion to amend his complaint to properly name Norton and Space Aeronautics as respondent.

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 complaint shall be deemed amended and 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: March 16, 2015

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings

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