

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

AVESON SCHOOL OF LEADERS AND
AVESON GLOBAL LEADERSHIP
ACADEMY (CHARTER SCHOOLS).

OAH Case No. 2015021006

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 19, 2015, Student filed a Due Process Hearing Request, naming Aveson School of Leaders and Aveson Global Leadership Academy. On June 1, 2015, Student's Motion to Amend to file a first amended complaint was granted.

On July 20, 2015, Student filed a Second Motion for Leave to File an Amended Complaint, along with the proposed second amended complaint. On July 21, 2015, Respondents filed a Notice of Non-Opposition.

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).)

Student's second amended complaint names a new respondent, Aveson Charter Schools, and alleges a new issue not in Student's original complaint or first amended complaint. The hearing in this matter is scheduled to begin on July 28, 2015, and District does not oppose Student's motion. Student's request to amend is timely and is granted. The amended complaint shall be deemed filed as of July 22, 2015, and all applicable timelines shall be reset as of July 22, 2015. OAH will issue a scheduling order with the new dates. All prior dates are vacated.

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

ORDER

1. Student's request to amend is granted.
2. The amended complaint shall be deemed filed as of July 22, 2015.
3. All applicable timelines shall be reset as of July 22, 2015.
4. OAH will issue a scheduling order with the new dates.
5. All prior dates are vacated.

DATE: July 22, 2015

/s/

LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings