

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA CLARA COUNTY OFFICE OF  
EDUCATION, EVERGREEN SCHOOL  
DISTRICT AND UNIVERSITY  
PREPARATORY ACADEMY.

OAH Case No. 2016010805

ORDER GRANTING MOTION TO  
AMEND COMPLAINT TO ADD  
PARTY

On January 25, 2016, Student filed a request for due process hearing (complaint), naming Santa Clara County Office of Education and Evergreen School District. On March 11, 2016, Student, Santa Clara COE, Evergreen, and University Preparatory Academy Charter School filed a joint motion to add University Preparatory Academy as a separate respondent in this matter. The parties' joint request will be considered a motion to amend the complaint with no opposition from Santa Clara COE or Evergreen School District.

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: March 14, 2016

DocuSigned by:



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DENA COGGINS

Administrative Law Judge

Office of Administrative Hearings