

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CONEJO VALLEY UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2016020568

ORDER DENYING MOTION TO
AMEND COMPLAINT WITHOUT
PREJUDICE

On February 11, 2016, Parent on behalf of Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Conejo Valley Unified School District. On March 8, 2016, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). Conejo filed a Non-Opposition to Student's motion.

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).)

Student's "amended complaint" is an addendum to the original complaint, adding issues ten through thirteen to Student's claims. OAH requires that all issues be contained in one document. The motion to amend is denied without prejudice.

Student may file an amended complaint that includes all issues, along with a request to amend the complaint. OAH is inclined to grant the motion upon receipt of the amended complaint. All dates scheduled in this matter are confirmed.

IT IS SO ORDERED.

DATE: March 16, 2016

DocuSigned by:

Adrienne L. Krikorian

ADRIENNE L. KRIKORIAN

Administrative Law Judge

Office of Administrative Hearings