

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

YUCAIPA-CALIMESA JOINT UNIFIED
SCHOOL DISTRICT AND EAST
VALLEY SPECIAL EDUCATION LOCAL
PLAN AREA,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011050309

ORDER GRANTING STIPULATED
REQUEST TO AMEND COMPLAINT

On May 9, 2011, the Yucaipa-Calimesa Joint Unified School District (District) and East Valley Special Education Local Plan Area (SELPA) filed a Due Process Hearing Request (complaint), naming Student (Student). On June 17, 2011, the District/SELPA filed a Request to Amend the Due Process Hearing Request (amended complaint). Parent on behalf of Student joined in the request to amend.

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 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. July 13, 2011 is the new hearing date, and July 11, 2011, at 1:30 p.m. is the pre-hearing conference date. A Spanish language interpreter will be required for both the hearing and pre-hearing conference.

IT IS SO ORDERED.

Dated: June 27, 2011

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

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings