

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENTS ON BEHALF OF STUDENT,

OAH Case No. 2015020675

v.

CHULA VISTA ELEMENTARY SCHOOL
DISTRICT,

CHULA VISTA ELEMENTARY SCHOOL
DISTRICT,

OAH Case No. 2015010881

v.

PARENTS ON BEHALF OF STUDENT.

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 11, 2015, Student filed a due process hearing request naming the Chula Vista Elementary School District. On March 6, 2015, the Office of Administrative Hearings consolidated that case with OAH case number 2015010881, designating Student's case (case number 2015020675) as the primary matter.

On March 20, 2015, Student filed a motion to amend the due process hearing request. On March 25, 2015, Chula Vista filed a notice of non-opposition to that 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 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 30, 2015

/s/

SUSAN RUFF
Administrative Law Judge
Office of Administrative Hearings