

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SOUTHERN KERN UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015110688

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On November 13, 2015, Student filed a due process hearing request (complaint) with the Office of Administrative Hearings, naming Southern Kern Unified School District. On January 12, 2016, Student filed a request to amend due her complaint, with the proposed amended complaint (amended complaint) attached. No opposition was received from 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: January 19, 2016

/s/

ALEXA J. HOHENSEE
Administrative Law Judge
Office of Administrative Hearings