

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOLETA UNION ELEMENTARY
SCHOOL DISTRICT AND FORTUNA
ELEMENTARY SCHOOL DISTRICT.

OAH Case No. 2016020063

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On January 25, 2016, Student filed a Due Process Complaint (complaint) with the Office of Administrative Hearings, naming Loleta Union Elementary School District and Fortuna Elementary School District. On February 3, 2016, Student filed an amended complaint. No response was received from Loleta or Fortuna.

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 filing of an amended complaint is treated as a motion to amend the complaint. 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: February 11, 2016

DocuSigned by:
Lisa Lunsford
D6E73A1C80D6473...

LISA LUNSFORD
Administrative Law Judge
Office of Administrative Hearings

