BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. MARYSVILLE JOINT UNION SCHOOL DISTRICT AND TWIN RIVERS UNIFIED SCHOOL DISTRICT,	OAH CASE NO. 2013060425 ORDER GRANTING MOTION TO AMEND COMPLAINT

On June 05, 2013, Parent of behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming Marysville Joint Union School District (Marysville) and Twin Rivers Unified School District (Twin Rivers). On June 18, 2013, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). The purpose of the motion was to add additional allegations in response to Twin Rivers' Motion to Dismiss, which was filed on June 13, 2013. No opposition to the motion to amend the complaint was received from either Marysville or Twin Rivers.

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. OAH will issue a scheduling order with the new dates.

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

IT IS SO ORDERED.

Dated: June 19, 2013

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings