BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

CASTRO VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2020010653

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 31, 2020

On January 17, 2020, Parent on behalf of Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Castro Valley Unified School District. The Office of Administrative Hearings is referred to as OAH. On January 23, 2020, Student filed a Motion to Amend the Due Process Hearing Request and a proposed amended complaint. OAH has not received an opposition.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before 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 hearing is scheduled to begin on March 17, 2020. Student filed the motion to amend more than five days before the due process hearing. Therefore, the motion is timely and is granted. The amended complaint is deemed filed, and 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.

DocuSigned by:

Brian H. Krikorian
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Administrative Law Judge
Office of Administrative Hearings