BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. SAN LEANDRO UNIFIED SCHOOL DISTRICT.	OAH Case No. 2019010124 ORDER GRANTING MOTION TO AMEND COMPLAINT

On January 03, 2019, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming the San Leandro Unified School District. On February 19, 2019, Student filed a Motion to Amend the Due Process Hearing Request, together with a proposed amended complaint. On February 21, 2019, San Leandro filed a notice that it did not oppose the motion to amend.

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. In light of the scheduling concerns set forth in San Leandro's notice of non-opposition, the prehearing conference shall take place on March 29, 2019, at 10:00 a.m. The due process hearing shall take place on April 9, 10 and 11, 2019.

IT IS SO ORDERED.

DATE: February 22, 2019

DocuSigned by:
Charles Marson
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CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings