BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2019090129

ORDER GRANTING MOTION TO AMEND COMPLAINT

On September 3, 2019, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Chaffey Joint Union High School District. The Office of Administrative Hearings is referred to as OAH. On December 24, 2019, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. No opposition was received from Chaffey.

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).)

Student, in his amended complaint, alleges additional issues and remedies covering the same time period as his original complaint. The motion to amend was filed more than five days prior to the due process hearing and was not opposed. Therefore, it 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.

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DATED: January 6, 2020

Cole Dalton
Administrative Law Judge
Office of Administrative Hearings