BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT	OAH Case No. 2014121009
PARENT ON BEHALF OF STUDENT , v. FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT.	OAH Case No. 2015010431 ORDER GRANTING MOTION TO AMEND COMPLAINT

On December 24, 2014, Folsom Cordova Unified School District filed a Due Process Hearing Request naming Student as respondent. On January 9, 2015, Student filed a due process hearing request naming Folsom Cordova as respondent. Those cases were consolidated on February 23, 2015, with Folsom Cordova's case being designated as the primary case for calculating applicable timelines.

On March 31, 2015, Student filed a motion to amend his due process complaint. On April 1, 2015, Folsom Cordova filed a notice of non-opposition to Student's motion to amend.

APPLICABLE LAW

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 an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

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

DISCUSSION AND ORDER

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All dates are vacated, and the applicable timelines in both matters 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: April 02, 2015

/s/

JOY REDMON
Administrative Law Judge
Office of Administrative Hearings