BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENTS ON BEHALF OF STUDENT, v. MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT, CALIFORNIA DEPARTMENT OF EDUCATION, AND CALIFORNIA DEPARTMENT OF SOCIAL SERVICES.	OAH Case No. 2015080011 ORDER DENYING CALIFORNIA DEPARTMENT OF EDUCATION'S MOTION FOR RECONSIDERATION AND/OR RENEWED MOTION TO DISMISS AS MOOT

On August 3, 2015, California Department of Education filed a Motion to Dismiss as to Student's original complaint. On August 14, 2015, the Office of Administrative Hearings, by the undersigned, issued an order denying CDE's motion.

On August 24, 2015, CDE filed a Motion for Reconsideration and/or Renewed Motion to Dismiss.[1]

On August 25, 2015, Student filed with OAH a motion for leave to file an amended complaint and a copy of the proposed amended complaint. No opposition was filed as to this motion. On August 31, 2015, CDE filed a Motion to Dismiss the amended complaint. On September 2, 2015, OAH issued an order granting Student leave to file the amended complaint.

CDE's Motion for Reconsideration and/or Renewed Motion to Dismiss is moot with the amended complaint. Accordingly, the motion is denied.

DATE: September 3, 2015

/s/
ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings

[1] CDE's August 31, 2015 motion to dismiss will be ruled upon in a separate order.