BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. BELLFLOWER UNIFIED SCHOOL DISTRICT.	OAH Case No. 2018020218 ORDER GRANTING MOTION TO AMEND COMPLAINT AND DENYING MOTION FOR CONTINUANCE

On February 05, 2018, Parent on Behalf of Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Bellflower Unified School District. On May 16, 2018, filed a Motion to Amend the Due Process Hearing Request (amended complaint) and a Motion for Continuance.

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. OAH will issue a scheduling order with the new dates. Accordingly, Student's Motion for Continuance is denied as moot.

IT IS SO ORDERED.

DATE: May 16, 2018

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Marian H. Tully
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MARIAN H. TULLY
Presiding Administrative Law Judge
Office of Administrative Hearings