BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. BURBANK UNIFIED SCHOOL DISTRICT.	OAH Case No. 2018100167 ORDER GRANTING MOTION TO AMEND COMPLAINT

On October 01, 2018, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Burbank Unified School District. On January 14, 2019, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint) and a joint stipulation with Burbank consenting to the amendment.

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).)

Student seeks to file an amended complaint, which adds several factual contentions and legal issues related to the 2018-2019 school year. 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.

IT IS SO ORDERED.

DATE: January 15, 2019

DocuSigned by:
[signature]
57ADE5DA0CC499...

COLE DALTON
Administrative Law Judge
Office of Administrative Hearings