BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LEMON GROVE ELEMENTARY SCHOOL DISTRICT.	OAH Case No. 2015050337 ORDER GRANTING MOTION TO AMEND COMPLAINT

On April 24, 2015, Student filed a Due Process Hearing Request (complaint), naming Lemon Grove Unified School District. Currently, the due process hearing is scheduled to begin on June 18, 2015, and to continue day to day, as needed, at the discretion of the Administrative Law Judge. On April 28, 2015, Student filed a Motion to Amend Complaint (amended complaint) to allege additional procedural and substantive violations. On May 1, 2015, Lemon Grove filed a Non-Opposition to Student's Motion to Amend Complaint.

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 therefore 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: May 13, 2015

/S/
B. ANDREA MILES
Administrative Law Judge
Office of Administrative Hearings