BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENTS ON BEHALF OF STUDENT, v. COLTON JOINT UNIFIED SCHOOL DISTRICT.	OAH Case No. 2017060750 ORDER GRANTING MOTION TO AMEND COMPLAINT

On June 15, 2017, Parents on behalf of Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Colton Joint Unified School District. On July 17, 2017, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). District did not oppose the motion.

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 which will take into account the request to hold a full-day mediation to begin at 10:00 AM. Further, OAH will not rule on District's pending motion to dismiss, which is moot with OAH permitting the amended complaint.

IT IS SO ORDERED.

DATE: July 18, 2017

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Rommel P. Cruz
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ROMMEL P. CRUZ
Administrative Law Judge
Office of Administrative Hearings