BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT,	OAH CASE NO. 2013031004
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH CASE NO. 2013040364 ORDER GRANTING MOTION TO AMEND COMPLAINT

On June 14, 2013, Student filed a motion to amend his complaint in OAH Case No. 2013031004, together with a proposed amended complaint. On June 18, 2013, the West Contra Costa Unified School District (District) filed a response stating that the District had no opposition to the motion to amend.

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).)[1] The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

[1] All statutory citations are to title 20 United States Code unless otherwise indicated.

The consolidated matters are now set for hearing on July 3, 2013, more than five days from the date of this Order. The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this Order. All dates now calendared in the consolidated matters are vacated. 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.

Dated: June 24, 2013

/s/
CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings