BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

VENTURA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021040283

ORDER GRANTING MOTION TO AMEND COMPLAINT

AUGUST 10, 2021

On April 8, 2021, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Ventura Unified School District. The Office of Administrative Hearings is referred to as OAH. On August 4, 2021, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. No opposition was received from Ventura Unified School District.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before 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 was filed more than five days prior to the due process hearing. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. As Student's Motion to Amend implies that Student wishes to keep the dates in the July 9, 2021 continuance, the matter is continued to those dates. All applicable timelines shall be reset as of the date of this order.

IT IS SO ORDERED.

Judith Pasewark

Judith Pasewark
Administrative Law Judge
Office of Administrative Hearings