BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. MANHATTAN BEACH UNIFIED SCHOOL DISTRICT.	OAH Case No. 2017101237 ORDER GRANTING MOTION TO AMEND COMPLAINT

On October 30, 2017, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Manhattan Beach Unified School District. On February 20, 2018, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from District.

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).)

Hearing in this matter is scheduled to begin on March 20, 2018. Student moved for leave to file the Amended Complaint more than five days before the due process hearing. District has not opposed the motion. The motion 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. Any continuance request must establish good cause due to the age of this case, which shall take precedent over any later filed matter,

IT IS SO ORDERED.

DATE: February 26, 2018

DocuSigned by:
Chris Butchko
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CHRIS BUTCHKO
Administrative Law Judge
Office of Administrative Hearings