BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: DUBLIN UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017120716 ORDER GRANTING MOTION TO AMEND COMPLAINT

On December 19, 2017, Dublin Unified School District filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Parent. On February 20, 2018, Dublin filed a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from parent.

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.[1] 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: February 26, 2018

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Tiffany Gilmartin
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TIFFANY GILMARTIN
Administrative Law Judge
Office of Administrative Hearings

[1] Dublin's companion motion filed at the same time as the motion to amend is moot as it is based on the original due process complaint filed on December 19, 2017. District is not precluded from filing another motion to consolidate.