BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. ANTIOCH UNIFIED SCHOOL DISTRICT.	OAH Case No. 2017080513 ORDER GRANTING MOTION TO AMEND COMPLAINT

On August 10, 2017, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Antioch Unified School District as Respondent. On November 13, 2017, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint.) Antioch filed a notice of non-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).) 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 previously scheduled dates are vacated. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: November 27, 2017

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Penelope S. Pahl
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PENELOPE S. PAHL
Administrative Law Judge
Office of Administrative Hearings