BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. SAN DIEGO UNIFIED SCHOOL DISTRICT, MOUNTAIN EMPIRE UNIFIED SCHOOL DISTRICT, GROSSMONT UNION HIGH SCHOOL DISTRICT, DEHESA SCHOL DISTRICT. .	OAH Case No. 2017100067 AMENDED ORDER GRANTING MOTION TO AMEND COMPLAINT

On September 29, 2017, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming San Diego Unified School District, Mountain Empire Unified School District and Grossmont Union High School District. On October 27, 2017, Student filed a Motion for Leave to File a First Amended Request for Hearing. No opposition was received from San Diego Unified School District, Mountain Empire Unified School District or Grossmont Union High School District.

On November 6, 2017, Student's Motion for Leave to File a First Amended Request for Hearing was denied without prejudice because Student had not filed his proposed first amended complaint and the Declaration of Patricia Lewis, which was referred to in Student's motion as support. On November 6, 2017, Student filed the supporting Declaration of Patricia Lewis and his proposed first amended complaint, along with proof that Student had filed such documents with OAH on October 27 2017.

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 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: November 07, 2017

DocuSigned by:
Christine Arden
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CHRISTINE ARDEN
Administrative Law Judge
Office of Administrative Hearings