

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

BURBANK UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2013110175

ORDER GRANTING DISTRICT'S
MOTION TO AMEND COMPLAINT

On November 4, 2013, Burbank Unified School District (District) filed a Due Process Hearing Request (complaint), naming Parents on behalf of Student. On November 25, 2013, District filed a request to amend the complaint (amended complaint) which the Office of Administrative Hearings deems a motion to amend. District's counsel represented in a letter accompanying the motion that Student's advocate did not oppose the amendment and OAH has received no opposition. The matter is currently set for hearing on December 5, 2013.

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 the complaint 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.

Dated: November 26, 2013

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings