

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

FRESNO UNIFIED SCHOOL DISTRICT.

OAH Case No. 2014080035

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On July 29, 2014, Parent on behalf of Student filed a Due Process Hearing Request (complaint), naming the Fresno Unified School District as respondent. On August 18, 2014, Student filed a Motion to Amend Due Process (amended complaint) and to Continue Prehearing Conference and Due Process Hearing. Student seeks to file an amended complaint to name an additional respondent, the Central Unified School District. No opposition was received from Fresno or Central.

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).)¹ 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: August 22, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.

