

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

PAJARO VALLEY UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014110423

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On November 5, 2014, Student's parents on behalf of Student filed a due process hearing request (complaint) naming the Pajaro Valley Unified School District. That complaint did not contain all the information required by law. On November 14, 2014, Student filed a document entitled "Student's (Amended) Request for Due Process Hearing" (amended complaint), adding the required information.

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 20, 2014

/s/

SUSAN RUFF

Administrative Law Judge

Office of Administrative Hearings