

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

YUBA CITY UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2014120573

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On December 5, 2014, Student filed a due process hearing request (complaint), naming San Juan Unified School District (San Juan), Yuba City Unified School District (Yuba City) and Alta California Regional Center (Regional Center). San Juan and Regional Center were subsequently dismissed as parties. On January 15, 2015, Student filed a request to amend and a proposed amended complaint naming only Yuba City as respondent (amended complaint). On January 15, 2015, Yuba City filed a statement of non-opposition to Student's motion for leave 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).)<sup>1</sup> 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: January 16, 2015

/s/

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ALEXA J. HOHENSEE  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> All statutory citations are to title 20 United States Code unless otherwise indicated.