

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

GUARDIANS ON BEHALF OF STUDENT,

v.

MORENO VALLEY UNIFIED SCHOOL
DISTRICT AND PALMDALE SCHOOL
DISTRICT.

OAH Case No. 2015010162

ORDER GRANTING MOTION FOR
LEAVE TO FILE AMENDED
COMPLAINT

On December 31, 2014, Guardians on behalf of Student filed with the Office of Administrative Hearings a Due Process Hearing Request (complaint), naming Moreno Valley Unified School District and the Palmdale School District as respondents. On January 9, 2015, Student filed with OAH an Amended Complaint, which is deemed a motion for leave to file an amended complaint. No opposition was received from Moreno or Palmdale.

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: January 20, 2015

/s/

ROBERT HELFAND

Administrative Law Judge

Office of Administrative Hearings

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

