

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PARADISE UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014080043

ORDER GRANTING MOTION TO
AMEND TO FILE SECOND
AMENDED COMPLAINT

On July 29, 2014, Student filed a Due Process Hearing Request (complaint), naming District. On September 12, 2014, Office of Administrative Hearings granted Student's request to file an amended Complaint. On October 31, 2014, OAH issued an Order Following Preliminary Hearing Conference that granted Student and District's joint request to continue the matter to the currently-scheduled dates, to allow time to conduct independent assessments. On February 6, 2015, Student filed a motion to amend to file a Second Amended Complaint that contains new issues revealed by the assessments. On February 9, 2015, District filed a notice of non-opposition.

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).)

Student's unopposed request to file a Second Amended Complaint is timely and is granted. The Second 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: February 11, 2015

/s/

JUNE R. LEHRMAN
Administrative Law Judge
Office of Administrative Hearings