

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIVERSIDE UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015060027

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On May 13, 2015, Student filed with the Office of Administrative Hearings a Due Process Hearing Request (complaint), naming Riverside Unified School District. On June 15, 2015, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint).¹ On June 18, 2015, District filed an 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).)² 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: June 19, 2015

/s/

PETER PAUL CASTILLO

Presiding Administrative Law Judge
Office of Administrative Hearings

¹ Student also filed a motion to continue the hearing. This motion is moot with the granting of motion to amend, which resets the decision timelines. If Student files a subsequent motion to continue, Student's advocate is advised to meet and confer with District's legal counsel as to mutually agreeable hearing dates.

² All statutory citations are to title 20 United States Code unless otherwise indicated.