

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT, OAKLAND MILITARY
INSTITUTE, AND EL DORADO
COUNTY CHARTER SELPA.

OAH Case No. 2015060530

ORDER GRANTING MOTION TO
AMEND COMPLAINT AND DISMISS
EL DORADO COUNTY CHARTER
SELPA AS A PARTY

On June 01, 2015, Student filed a request for due process hearing (complaint), naming Oakland Unified School District. On June 3, 2014, Student filed a request to amend the complaint (amended complaint), to include Oakland Military Institute and El Dorado County Charter Special Education Local Plan Area. On June 5, Student filed a request to dismiss El Dorado County Charter SELPA as a party to the amended complaint. No opposition was received from any of the parties.

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, and El Dorado County Charter SELPA is hereby dismissed from the amended complaint. The amended complaint against Oakland Unified School District and Oakland Military institute shall be deemed filed on the date of

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

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 16, 2015

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings