

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

ROSEDALE UNION ELEMENTARY
SCHOOL DISTRICT AND KERN
COUNTY SUPERINTENDENT OF
SCHOOLS,

v.

PARENT ON BEHALF OF STUDENT

OAH Case No. 2015020979

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 18, 2015, Rosedale Union School District and Kern County Superintendent of Schools filed a Due Process Hearing Request (complaint), naming Student. On July 16, 2015, District and Kern County filed a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from Student.

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 due process hearing in this matter is currently set to begin on August 18, 2015. Thus, 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: July 24, 2015

/s/

CAROLINE A. ZUK
Administrative Law Judge
Office of Administrative Hearings

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