

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

JULIAN CHARTER SCHOOL AND
JULIAN UNION ELEMENTARY
SCHOOL DISTRICT.

OAH Case No. 2015120555

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On December 8, 2015, Parent on behalf of Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Julian Charter School and Julian Union Elementary School District. On December 18, 2015, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). Julian Charter and Julian Union jointly filed a Statement of Non-Opposition to Student's motion.

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).)

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: December 24, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings