

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SANTA ROSA CITY SCHOOLS.
OAH CASE NUMBER 2021100556

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 26, 2021

On October 20, 2021, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, also called OAH, naming Santa Rosa City Schools as respondent. On October 21, 2021, Student filed an amended complaint. The filing of the amended complaint will be treated as a motion to amend the complaint. No opposition was received from Santa Rosa City Schools.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before 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 was filed more than five days prior to the due process hearing. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. The applicable timelines shall be reset as of the date of this order. All previously scheduled dates in this matter are hereby vacated. OAH will issue a new scheduling order.

IT IS SO ORDERED.

Penelope S. Pahl

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Administrative Law Judge

Office of Administrative Hearings