

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

BELLFLOWER UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021080425

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 13, 2022

On August 13, 2021, Parent on behalf of Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Bellflower Unified School District. The Office of Administrative Hearings is referred to as OAH. On January 12, 2022, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. On January 13, 2022, Bellflower filed a non-opposition.

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 and OAH received written consent to the amendment. Therefore, it 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. As OAH has already continued this matter as the request of the parties three times, and because this case was filed in August 2021, no further continuances shall be granted absent a showing of good cause by way of declaration as this matter takes precedent over later filed cases.

IT IS SO ORDERED.

Paul H. Kamoroff
Paul H. Kamoroff (Jan 13, 2022 15:23 PST)

Paul H. Kamoroff

Administrative Law Judge

Office of Administrative Hearings