

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 2021100053

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 27, 2022

On September 30, 2021, 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 November 9, 2022, OAH continued the matter, setting the prehearing conference on February 7, 2022 and the due process hearing on February 15, 2022.

On January 24, 2022, Student filed a Motion to Amend the Due Process Hearing Request and a proposed amended complaint. Bellflower filed a notice of non-opposition to the motion on January 27, 2022.

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 Bellflower does not oppose the motion. 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.

IT IS SO ORDERED.

Laurie Gorsline

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Administrative Law Judge

Office of Administrative Hearings