

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

PLEASANTON UNIFIED SCHOOL DISTRICT AND
CONTRA COSTA COUNTY OFFICE OF EDUCATION.

OAH CASE NUMBER 2021110690

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 3, 2022

On November 23, 2021, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Pleasanton Unified School District and Contra Costa County Office of Education. The Office of Administrative Hearings is referred to as OAH. On December 29, 2021, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. On January 3, 2022, Pleasanton Unified and Contra Costa filed non-oppositions.

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 has 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. The parties' request for specific dates is denied and the due process hearing will be scheduled pursuant to the standard process. 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.

Marlo Nisperos

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Administrative Law Judge

Office of Administrative Hearings