

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE MATTER OF:  
  
PARENT ON BEHALF OF STUDENT,

v.

VISALIA UNIFIED SCHOOL DISTRICT.  
  
OAH CASE NUMBER 2021120375

ORDER GRANTING MOTION TO AMEND COMPLAINT

FEBRUARY 3, 2022

On December 13, 2021, Student filed a Request for Due Process Hearing, called a complaint, with the Office of Administrative Hearings, called OAH, naming Visalia Unified School District. On January 28, 2022, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. Visalia did not respond to Student's motion. The due process hearing is scheduled to begin on March 8, 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).)

Student filed the Motion to Amend more than five days before the due process hearing and Visalia did not object to the motion. Thus, the motion is timely and is granted. The filing date for the amended complaint is the date of this Order. All applicable timelines are reset as of the date of this Order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

*Tara Doss*

Tara Doss

Administrative Law Judge

Office of Administrative Hearings