

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

DEL NORTE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024070454

ORDER GRANTING MOTION TO AMEND COMPLAINT

SEPTEMBER 19, 2024

On July 12, 2024, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Del Norte Unified School District. The Office of Administrative Hearings is referred to as OAH. The matter is currently scheduled for due process hearing on October 1, 2024.

On September 17, 2024, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. On September 19, 2024, Del Norte Unified filed a Notice of Non-opposition to Student's motion.

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. 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.

A handwritten signature in cursive script that reads "Judith Pasewark".

Judith Pasewark

Administrative Law Judge

Office of Administrative Hearings