

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL DISTRICT.
OAH CASE NUMBER 2024070691

ORDER GRANTING MOTION TO AMEND COMPLAINT

SEPTEMBER 27, 2024

On July 19, 2024, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming San Diego Unified School District. The Office of Administrative Hearings is referred to as OAH. The hearing is currently scheduled to begin on November 13, 2024.

Student filed a Motion to Amend the Due Process Hearing Request and proposed amended complaint, seeking to add additional claims and remedies. On September 26, 2024, San Diego Unified filed a notice of 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 San Diego does not oppose the motion. The motion is timely and unopposed.

The motion 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