

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

FOLSOM-CORDOVA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024050300

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 3, 2024

On May 7, 2024, Parent on behalf of Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, naming Folsom-Cordova Unified School District, called Folsom-Cordova. The Office of Administrative Hearings is called OAH.

On August 29, 2024, OAH granted Student's first request to amend the complaint. On September 30, 2024, Student filed a second motion to amend the complaint and a second amended complaint. Folsom-Cordova filed a non-opposition on October 1, 2024. The hearing for this matter is set to begin on October 15, 2024.

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 second motion to amend was filed more than five days prior to the due process hearing and OAH received written consent from Folsom-Cordova to the amendment. Therefore, it is timely and is granted. The second amended complaint shall be deemed filed on the date of this order. All previously scheduled dates are vacated. 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.

Paul Kamoroff

Paul H Kamoroff

Administrative Law Judge

Office of Administrative Hearings