

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024071050

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 10, 2024

On July 29, 2024, Parents on behalf of Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, naming Sacramento City Unified School District. The Office of Administrative Hearings is called OAH. Sacramento City Unified School District is called Sacramento City. The due process hearing on Student's complaint is scheduled to begin on October 22, 2024.

On October 4, 2024, Student filed a motion to amend the complaint and an amended complaint. No opposition was received from Sacramento City. The proposed amended complaint adds claims from the beginning of the 2024-2025 school year, which had not yet begun when the original complaint was filed.

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. 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.

Alexa Hohensee

Alexa Hohensee

Administrative Law Judge

Office of Administrative Hearings