

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ARCADIA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024091003

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 18, 2024

On September 26, 2024, Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming Arcadia Unified School District. The Office of Administrative Hearings is referred to as OAH. On September 27, 2024, Student filed a motion to amend the complaint and a proposed amended complaint to add additional facts that were inadvertently deleted from the complaint. No opposition was received from Arcadia Unified School District. The due process hearing is set to begin on November 13, 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 motion to amend was filed more than five days prior to the due process hearing. Therefore, it is timely and is granted. The proposed 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.


Thanayi Lindsey (Oct 18, 2024 14:15 PDT)

Thanayi Lindsey

Administrative Law Judge

Office of Administrative Hearings