

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL DISTRICT.
OAH CASE NUMBER 2024100166

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 31, 2024

On October 4, 2024, Parent on behalf of Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming San Diego Unified School District, called San Diego. The Office of Administrative Hearings is referred to as OAH. On October 17, 2024, Student filed a motion to amend the complaint and an amended complaint. No opposition was received from San Diego. The due process hearing is scheduled to begin on November 19, 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 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.

Jennifer Kelly

Jennifer Kelly

Administrative Law Judge

Office of Administrative Hearings