

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

CAPITAL COLLEGE AND CAREER ACADEMY.

OAH CASE NUMBER 2024080940

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 31, 2024

On August 26, 2024, Parents on behalf of Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming Capital College and Career Academy. The Office of Administrative Hearings is referred to as OAH.

On October 25, 2024, Student filed a motion to amend the due process hearing request and an amended complaint. Neither respondent filed a response.

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).)

Student filed the motion to amend more than five days before the due process hearing. Thus, 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.

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings