

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

OCEANSIDE UNIFIED SCHOOL DISTRICT.
OAH CASE NUMBER 2024080533

ORDER GRANTING MOTION TO AMEND COMPLAINT

OCTOBER 31, 2024

On August 13, 2024, Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Oceanside Unified School District. On October 29, 2024, Student filed a motion to amend the complaint and an amended complaint. On October 30, 2024, Oceanside filed a notice of non-opposition to the motion to amend.

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, set to begin on November 13, 2024. 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.

Cole Dalton

Cole Dalton

Administrative Law Judge

Office of Administrative Hearings