BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019050861

ORDER GRANTING MOTION TO AMEND COMPLAINT

On May 20, 2019, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Placentia-Yorba Linda Unified School District. The Office of Administrative Hearings is referred to as OAH. On July 17, 2019, OAH granted the parties' request to continue this matter and set the due process hearing to commence on November 13, 2019. On August 26, 2019, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. No opposition was received from Placentia-Yorba Linda.

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 and OAH will issue a new scheduling order with new dates as neither party requested that OAH maintain the current hearing dates. Should the parties wish to maintain the November hearing dates they are to submit a new joint request to continue this matter.

IT IS SO ORDERED.

DocuSigned by:
Linda Johnson
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DATED: August 30, 2019

Linda Johnson
Administrative Law Judge
Office of Administrative Hearings