BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. AVESON SCHOOL OF LEADERS AND AVESON GLOBAL LEADERSHIP ACADEMY (CHARTER SCHOOLS).	OAH Case No. 2015021006 ORDER GRANTING STUDENT'S MOTION TO AMEND COMPLAINT

On February 19, 2015, Student filed a Due Process Hearing Request, naming Aveson School of Leaders and Aveson Global Leadership Academy in the caption of the complaint, although in the body of the complaint Student alleges that Aveson Charter Schools is the responsible agency.

On May 22, 2015, Student filed a Motion to Amend the Due Process Hearing Request, along with the proposed first amended complaint. No opposition was received from Respondents.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)[1] 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's amended complaint contains new allegations and issues not in Student's original complaint. The hearing in this matter is scheduled to begin on June 8, 2015, and District did not oppose Student's motion. Student's request to amend is timely and is granted. The amended complaint shall be deemed filed as of June 1, 2015, and all applicable timelines shall be reset as of June 1, 2015. OAH will issue a scheduling order with the new dates. All prior dates are vacated.

[1] All statutory citations are to Title 20 United States Code unless otherwise indicated.

ORDER

1. Student's request to amend is timely and is granted.
2. The amended complaint shall be deemed filed as of June 1, 2015.
3. All applicable timelines shall be reset as of June 1, 2015.
4. OAH will issue a scheduling order with the new dates.
5. All prior dates are vacated.

DATE: June 01, 2015

/s/
LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings