BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: CASTRO VALLEY UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017021178 ORDER GRANTING MOTION TO AMEND COMPLAINT

On February 27, 2017, Castro Valley Unified School District filed a request for due process hearing (complaint) with the Office of Administrative Hearings, naming Student. On the same day, Castro Valley filed an amended notice of representation and request for due process hearing (amended complaint). The amended complaint contained no substantive changes other than providing an updated address for Student. The amended complaint is considered a motion to amend the complaint.

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).) 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 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.

DATE: February 28, 2017

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DENA COGGINS
Administrative Law Judge
Office of Administrative Hearings