BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. RIM OF THE WORLD UNIFIED SCHOOL DISTRICT.	OAH CASE NO. 2013120111 ORDER GRANTING MOTION TO AMEND COMPLAINT

On November 25, 2013, Student filed a due process hearing request (complaint), naming Rim of the World Unified School District (District). On December 4, 2013, Student filed a request to amend the complaint (addendum) and added two issues: (1) that District provides a male aide, instead of a female aide, to Student; and (2) that District implements the 90 minutes of speech services per week pursuant to Student's individualized education program (IEP). No opposition was received from District. As discussed below, the request to amend the complaint is granted with Student's addendum deemed as part of the complaint and Student's complaint with the addendum (amended complaint) deemed filed as of the date of this Order.

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 because the addendum will result in a more efficient hearing of related issues. 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.

Dated: December 13, 2013

/s/
SABRINA KONG
Administrative Law Judge
Office of Administrative Hearings