

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT AND LOS ANGELES  
COUNTY OFFICE OF EDUCATION.

OAH CASE NO. 2011081107

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On August 29, 2011, Parent, on behalf of Student (Student), filed a Due Process Hearing Request (complaint) against the Los Angeles Unified School District (District). On December 20, 2011, Student filed a First Amended Complaint for Due Process (amended complaint). The Office of Administrative Hearings (OAH) treats the filing of an amended complaint as a Motion to File an Amended Complaint. On December 21, 2011 District filed its Response to Amended Complaint (response) and did not object to Student's filing of the amended 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).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

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<sup>1</sup> All statutory citations are to title 20 United States Code unless otherwise indicated.

Student's motion to amend is timely and unopposed, therefore, filing of the amended complaint 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 separate scheduling order setting forth the new dates.

IT IS SO ORDERED.

Dated: December 22, 2011

/s/

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GARY GEREN  
Administrative Law Judge  
Office of Administrative Hearings