

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY OFFICE OF
EDUCATION.

OAH CASE NO. 2011100803

AMENDED¹ ORDER GRANTING
MOTION TO AMEND COMPLAINT

On October 24, 2011, Student filed a Due Process Hearing Request (complaint), naming the Los Angeles County Office of Education (LACOE). Student filed a motion to amend his complaint on November 1, 2011, in which he inadvertently identified the wrong local educational agency as respondent. On November 4, 2011, Student filed an erratum to his motion to amend correctly naming LACOE. LACOE has not filed an opposition or other response to Student's motion

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.

Dated: November 8, 2011

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings

¹ Please note the corrected matter caption.