

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2013060996

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On June 24, 2013, Parents on behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District (District). On August 6, 2013, Student, through an advocate, filed a Notice of Representation and Request to Amend the Due Process Hearing Request (amended complaint). The District filed a non-opposition on August 7, 2013.

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).)

Here, the District consented in writing to Student's request to amend complaint, and the due process hearing is presently set for August 20, 2013, which is more than five days from the date Student filed his request to amend complaint. The motion to amend is therefore 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: August 07, 2013

/s/

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PAUL H. KAMOROFF  
Administrative Law Judge  
Office of Administrative Hearings