

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2013100372

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On October 8, 2013, Parent on behalf of Student filed a due process hearing request (complaint), naming the Los Angeles Unified School District (District).

On March 3, 2014, Student filed an amended complaint, which was not designated as an amended complaint. On March 5, 2014, Student filed a corrected face page for the amended complaint and requested leave to amend. No opposition was received.

APPLICABLE LAW

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).)

DISCUSSION

Student seeks to amend his complaint to include alleged violations by District of the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq. (IDEA)) committed after the original complaint was filed. The additional allegations concern assessments and an individualized education program team meeting that occurred pursuant to an interim agreement in this matter. Student has also retained co-counsel.

The motion to amend is timely and is granted. However, Student has not filed an amended complaint in its final version. Therefore, Student shall file and serve a complete copy of the amended complaint.

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

## ORDER

1. Student's request for leave to file an amended complaint is granted.
2. The amended complaint filed March 3, 2014, together with the corrected face page filed with Student's request for leave to amend on March 5, 2015, shall constitute Student's amended complaint for all purposes. The amended complaint shall be deemed filed as of the date of this order.
3. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: March 7, 2014

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ALEXA J. HOHENSEE  
Administrative Law Judge  
Office of Administrative Hearings