

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. 2014090390

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On September 10, 2014, Student filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District. The Office of Administrative Hearings granted the parties' first joint request for continuance on October 1, 2014. OAH granted the parties' second request for continuance on December 16, 2014, with the admonition that OAH would not grant any further requests for continuance.

Student filed an amended complaint on April 1, 2015, which OAH shall treat as a motion to amend Student's original complaint. The amended complaint adds allegations that Los Angeles Unified denied Student a free appropriate public education in its most recent individualized education program offer, made to Student at his IEP team meeting held on March 11, 2015. Los Angeles Unified filed a notice of non-opposition to Student's motion to amend on April 1, 2015.

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.

However, the parties are advised that no further continuances shall be granted in this case, barring extraordinary circumstances. Additionally, no further leave to amend is contemplated.

IT IS SO ORDERED.

DATE: April 3, 2015

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DARRELL LEPKOWSKY  
Administrative Law Judge  
Office of Administrative Hearings