

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 MAGNOLIA SCIENCE
ACADEMY 5-LOS LOBOS.

OAH Case No. 2015120512

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On December 10, 2015, Student filed a due process hearing request (complaint) with the Office of Administrative Hearings, naming Los Angeles Unified School District. On December 22, 2015, Student filed a first amended due process hearing request (amended complaint), adding respondent Magnolia Science Academy 5-Los Lobos, an independent charter school, and allegations against it. The amended complaint is treated as a motion to amend. No opposition was received.

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.

DATE: December 30, 2015

/s/

ALEXA J. HOHENSEE
Administrative Law Judge
Office of Administrative Hearings