

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. 2010101072

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On October 25, 2010, Student filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District. On January 21, 2011, Student filed a Request to amend his complaint. The District filed a non-opposition to Student's request to amend on January 26, 2011. In its non-opposition, the District requests that it be permitted an opportunity to convene a resolution session to address Student's amended complaint and that OAH set new timelines in the case.

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).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

Student's request 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. The District shall convene a resolution session within statutory guidelines. OAH will issue a scheduling order with the new dates. IT IS SO ORDERED.

Dated: January 27, 2011

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.