

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

GUARDIANS ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY OFFICE OF
EDUCATION AND LOS ANGELES
COUNTY DEPARTMENT OF MENTAL
HEALTH.

OAH CASE NO. 2010120475

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On December 13, 2010, Student filed a Request for Due Process Hearing (complaint) against the Los Angeles County Office of Education (LACOE) and Los Angeles County Department of Mental Health (LACDMH). On January 21, 2011, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). LACOE and LACDMH do not oppose Student's Motion to Amend.

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).)

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.

Dated: February 1, 2011

/s/

PETER-PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings

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