

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY OFFICE OF  
EDUCATION.

OAH CASE NO. 2011090350

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On September 12, 2011, Student filed a Due Process Hearing Request (complaint), naming Hacienda La Puente Unified School District (District) and Los Angeles County Office of Education (LACOE) as respondents. On December 2, 2011, Student filed a motion setting a status conference as to District because Student had reached a settlement of all issues subject to school board approval. Also on December 2, 2011, Student filed a motion to amend the remaining complaint as to LACOE. The motion to amend included a proposed amended complaint. LACOE did not file an opposition to the 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).) 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. The PHC and hearing dates as to LACOE are vacated. 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: December 07, 2011

/s/

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RICHARD T. BREEN  
Presiding Administrative Law Judge  
Office of Administrative Hearings