

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 NEW DESIGNS  
CHARTER SCHOOL.

OAH CASE NO. 2012020454

ORDER GRANTING REQUEST TO  
AMEND COMPLAINT

On February 13, 2012, Jerry Koo, Attorney at Law, on behalf of Student (Student), filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District (District).

On February 16, 2012, Student filed a Request to Amend the Due Process Hearing Request (amended complaint). The amended complaint added the New Designs Charter School (Charter School) to Student's complaint. No opposition was received from either the District or the Charter School.

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).)<sup>1</sup> 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 Request to Amend is timely and is granted. The Due process hearing in this matter is currently set to begin on April 10, 2012. Thus, because the due process hearing date is not set to begin within five days from the date the motion to amend was filed with the Office of Administrative Hearings (OAH), the Request to Amend is proper.

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<sup>1</sup> All statutory citations are to title 20 United States Code unless otherwise indicated.

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 23, 2012

/s/

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ADENIYI AYOADE  
Administrative Law Judge  
Office of Administrative Hearings