

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT AND ASPIRE TATE  
ACADEMY CHARTER

OAH CASE NO. 2012070989

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On July 27, 2012, Parents on behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District (District). On August 27, 2012, Student filed a Request to Amend the Due Process Hearing Request (amended complaint). No opposition was received from the District.

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).)

Here, Student submitted his amended complaint on August 27, 2012, which is more than five days prior to the due process hearing for this matter, which is scheduled to begin on December 17, 2012. As such, 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: September 06, 2012

/s/

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PAUL H. KAMOROFF  
Administrative Law Judge  
Office of Administrative Hearings

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