

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 EL CAMINO REAL
CHARTER HIGH SCHOOL.

OAH CASE NO. 2012080438

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On August 23, 2012, Parents on behalf of Student (herein, Student) filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District (LAUSD). On August 29, 2012, Student filed an Amended Request for Due Process Hearing (amended complaint) naming LAUSD and El Camino Real Charter High School (El Camino), which the Office of Administrative Hearings (OAH) has deemed a motion by Student to amend his complaint. Student explains that he filed his amended complaint because he inadvertently forgot to name El Camino. Neither LAUSD nor El Camino has filed an objection to Student's amended complaint or otherwise responded to it.

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: September 7, 2012

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings

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