

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ALHAMBRA UNIFIED SCHOOL
DISTRICT; GARVEY ELEMENTARY
SCHOOL DISTRICT; AND LOS
ANGELES UNIFIED SCHOOL DISTRICT

OAH CASE NO. 2012080536

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On August 17, 2012, Student filed a Due Process Hearing Request (complaint), naming numerous respondents. On October 31, 2012, Student's attorney filed a motion to amend the complaint and represented that original respondents Chino Valley Unified School District and Long Beach Unified School District have settled or been dismissed from the matter. Student desired to bring her claims against Alhambra Unified School District and Garvey Elementary School District, and Los Angeles Unified School District as respondents. OAH received no 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.

Student's counsel shall serve a copy of the amended complaint on Los Angeles Unified School District not later than noon on November 9, 2012.

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: November 7, 2012

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings