

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 AND AVESON CHARTER
SCHOOLS.

OAH CASE NO. 2013010046

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On January 2, 2013, Student filed a Request for a Due Process Hearing (complaint) with the Office of Administrative Hearings (OAH), naming the Los Angeles County Office of Education (LACOE). On February 5, 2013, Student filed a motion to amend the complaint to add Aveson Charter Schools (Aveson) as a responsible local educational agency. Neither LACOE nor Aveson submitted a response.

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 second 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 14, 2013

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings

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