

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.
ALLIANCE ENVIRONMENTAL
SCIENCE AND TECH. H.S., EXCEL
CHARTER ACADEMY, AND
LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013010662

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On January 18, 2013, Student filed a Due Process Hearing Request (complaint), naming Alliance Environmental Science and Technology Academy and Excel Charter Academy. On February 5, 2013, Student filed an Amended Complaint adding the Los Angeles Unified School District (LAUSD) as another respondent. No opposition was received from any party. The Office of Administrative Hearings (OAH) treats Amended Complaints which are filed as Motions to Amend and Proposed Amended Complaints.

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 Proposed Amended complaint filed on February 5, 2013 is virtually identical to the original complaint filed with OAH on January 18, 2013 with the notable addition of LAUSD as an additional party and respondent to the issues throughout the complaint.

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: February 13, 2013

/s/

MARGARET BROUSSARD
Administrative Law Judge
Office of Administrative Hearings