

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

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| In the Consolidated Matters of:<br><br>PARENT ON BEHALF OF STUDENT,<br><br>v.<br><br>LONG BEACH UNIFIED SCHOOL DISTRICT, | OAH CASE NO. 2013040967 (Primary)                                       |
| LONG BEACH UNIFIED SCHOOL DISTRICT,<br><br>v.<br><br>PARENT ON BEHALF OF STUDENT.  | OAH CASE NO. 2013040898<br><br>ORDER GRANTING MOTION TO AMEND COMPLAINT |

On April 19, 2013, the Long Beach Unified School District (District), filed a request for due process (complaint) naming Student. Also on April 19, 2013, Student filed a complaint naming the District. The Office of Administrative Hearings (OAH) granted the parties' joint motion to consolidate their cases on May 9, 2013.

On June 3, 2013, Student filed a motion to amend his complaint. Student basically wishes to clarify the issues and proposed remedies raised in his original complaint.

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. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates. OAH Case number 2013040967 remains the primary matter in these consolidated cases.

IT IS SO ORDERED.

Dated: June 4, 2013

/s/

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DARRELL LEPKOWSKY  
Administrative Law Judge  
Office of Administrative Hearings