

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014050676

ORDER GRANTING MOTION TO
FILE AMENDED COMPLAINT

On May 12, 2014, Parents on behalf of Student filed a Due Process Hearing Request naming the Los Angeles Unified School District as respondent. On September 22, 2014, Student, through legal counsel, filed an Amended Due Process Request (amended complaint), which is deemed a motion to file an amended complaint. On September 23, 2014, LAUSD filed a statement of non-opposition.

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. Amended complaint clarifies issues for hearing in the complaint filed by Parents. 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.

DATE: September 26, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings

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