

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014050909

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On May 19, 2014, Student filed a due process hearing request (complaint), naming Los Angeles Unified School District (District). On September 9, 2014, Student filed a motion for leave to amend and a proposed first amended complaint (amended complaint). District did not oppose Student's 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).)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).) Here, Student filed the amended complaint more than five days prior to the due process hearing.

ORDER

1. Student's motion to amend is granted.
2. Student's amended complaint shall be deemed filed, and all applicable timelines reset, as of the date of this Order.

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

3. OAH will issue a scheduling order for the amended complaint.

IT IS SO ORDERED.

DATE: September 11, 2014

/s/

EILEEN COHN
Administrative Law Judge
Office of Administrative Hearings