

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT; VIEW PARK PREPARATORY
ACCELERATED HIGH SCHOOL; and
ICEF INGLEWOOD MIDDLE CHARTER
ACADEMY.

OAH Case No. 2014071101

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On July 18, 2014, Student filed a Due Process Hearing Request (complaint), naming Los Angeles Unified School District, View Park Preparatory Accelerated High School, Inglewood Unified School District, and ICEF Inglewood Middle Charter Academy.

On August 6, 2014, Inglewood Unified filed a motion to be dismissed as a party to this case.

On August 7, 2014, Student filed a motion to amend in order to correct errors in the original complaint. Student named the same four respondents in his amended complaint as he had in his initial complaint.

On August 8, 2014, Student filed a pleading entitled in part "Request for Dismissal of Inglewood Unified School District." In the first paragraph of this pleading, Student requests the Office of Administrative Hearings to dismiss Inglewood Unified School District *with prejudice* from this action.

On August 14, 2014, OAH granted the motions of Inglewood Unified School District and Student and dismissed Inglewood Unified as a party.

None of the four named respondents has filed an opposition or other response to Student's motion to amend.

DISCUSSION

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 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.

However, since OAH has granted Student's request to dismiss Inglewood Unified *with prejudice*, Inglewood Unified is no longer a party to this case. This case therefore will only proceed as to respondents Los Angeles Unified School District, View Park Preparatory Accelerated High School, and ICEF Inglewood Middle Charter Academy.

IT IS SO ORDERED.

DATE: August 15, 2014

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings

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