

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PASADENA UNIFIED SCHOOL DISTRICT,
LOS ANGELES UNIFIED SCHOOL
DISTRICT, AND AVESON SCHOOL OF
LEADERS CHARTER SCHOOL.

OAH Case No. 2014090334

AMENDED¹ ORDER GRANTING
MOTION FOR LEAVE TO FILE AN
AMENDED COMPLAINT

On September 8, 2014, Parents on behalf of Student filed with the Office of Administrative Hearings a Due Process Hearing Request (complaint), naming Pasadena Unified School District and the Los Angeles Unified School District as respondents.

On September 24, 2014, Student filed a Motion for Leave to File an Amended Complaint (amended complaint), which would remove Pasadena and LAUSD as parties.² The amended complaint would add the Aveson School of Leaders Charter School, where Student presently attends, as the sole respondent. No opposition was received.

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).)³ 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.

¹ Amended to include Pasadena Unified School District and Los Angeles Unified School District as parties

² LAUSD has of this date not responded to the complaint. Pasadena has filed a motion to dismiss on the basis that it is not the local education agency responsible for Student's education. OAH, in a separate order, has denied Pasadena's motion as moot.

³ All statutory citations are to title 20 United States Code unless otherwise indicated.

IT IS SO ORDERED.

DATE: September 29, 2014

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings