

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

WILLIAM S. HART UNION HIGH
SCHOOL DISTRICT AND LOS ANGELES
COUNTY OFFICE OF EDUCATION.

OAH Case No. 2015071062

ORDER GRANTING STUDENT'S
MOTION TO AMEND THE DUE
PROCESS COMPLAINT

On July 10, 2015, Student filed a due process hearing request (complaint), naming William S. Hart Union School District. On October 22, 2015, Student filed a First Amended Complaint, and on October 23, 2015 filed a corrected First Amended Complaint, which added Los Angeles County Office of Education as a party. At the October 23, 2015 pre-hearing conference, OAH treated Student's corrected First Amended Complaint as a motion for a request to file a First Amended Complaint, noted that Student timely motioned to amend the complaint, and that OAH will grant the motion to amend pending review of any opposition. OAH provided District until October 27, 2015, to file a formal response to Student's motion to amend. On October 27, 2015, District filed a non-opposition to Student's motion First Amended Complaint. Los Angeles County did not file a response to Student's motion. As discussed below, the request to amend the complaint is granted and Student's corrected First Amended Complaint for Due Process deemed filed as of the date of this Order.

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 because the addendum will result in a

more efficient hearing of related issues. 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.

DATE: October 28, 2015

/s/

SABRINA KONG
Administrative Law Judge
Office of Administrative Hearings