

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. 2015100918

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On October 23, 2015, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Los Angeles Unified School District. On November 30, 2015, Student filed a Joint Stipulation seeking to amend the Due Process Hearing Request (amended complaint). Although the request was not made by noticed motion, District is aware of and has consented to the request. Accordingly, the request will be treated as though it was made by proper motion.

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. The amended complaint shall be deemed filed as of 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: December 14, 2015

/s/

CHRIS BUTCHKO

Administrative Law Judge

Office of Administrative Hearings