BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022030687

ORDER GRANTING MOTION TO AMEND COMPLAINT

APRIL 20, 2022

On March 18, 2022, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Los Angeles Unified School District. The Office of Administrative Hearings is referred to as OAH. This matter is scheduled for hearing beginning May 3, 2022. On April 19, 2022, Student filed a Motion to Amend the Due Process Hearing Request and a proposed amended complaint. Los Angeles filed a non-opposition to Student's motion on April 19, 2022.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before 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).)

Student seeks to amend the complaint to include two additional allegations, namely, that Los Angeles failed to provide Student a free appropriate public education in the least restrictive environment and failed to use or consider the use of positive behavior interventions and supports. Student timely filed the motion to amend more than five days prior to the due process hearing, and Los Angeles does not oppose the motion. The motion to amend 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.

IT IS SO ORDERED.

Theresa Ravandi

Theresa Ravandi
Administrative Law Judge
Office of Administrative Hearings