

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

COMPTON UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014030301

ORDER FOLLOWING PREHEARING
CONFERENCE AND GRANTING
MOTION TO AMEND COMPLAINT

On April 21, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge Eileen Cohn, Office of Administrative Hearing. Student was represented by Seshah Wolde-Tsadik, attorney at law. Compton Unified School District (District) was represented by Angela Gordon, attorney at law. The PHC was recorded.

The PHC addressed Student's motion to file his first amended Due Process Hearing Request (first amended complaint). On March 05, 2014, Student filed a due Process Hearing Request (complaint), naming District. The first amended complaint was filed with OAH on April 17, 2014. On April 18, 2014, District notified OAH in writing that it stipulated to Student's filing of the first amended complaint.

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).)

Here, where District has stipulated in writing, Student's motion to file his first amended complaint must be granted. The amended complaint shall be deemed filed on April 21, 2014, and all applicable timelines shall be reset as of that date. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: April 21, 2014

EILEEN COHN

/s/

Administrative Law Judge
Office of Administrative Hearings