

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. 2014040158

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On March 27, 2014, Student filed a Due Process Hearing Request (complaint), naming Los Angeles Unified School District (Los Angeles). This matter is currently set for hearing beginning August 19, 2014. On June 20, 2014, Student filed an amended request for due process hearing which the Office of Administrative Hearings construes as a Motion to Amend the Complaint. No opposition was received from Los Angeles.

APPLICABLE LAW

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).)

DISCUSSION

Since the initial filing of his complaint, Student has retained counsel and now seeks to add additional allegations. In summary, Student now alleges several substantive and procedural violations of his right to a free appropriate public education, including Los Angeles' alleged failure to provide him with an appropriate placement and services to enable him to receive educational benefit, failure to develop appropriate goals, failure to follow applicable timelines for assessments and failure to conduct an appropriate triennial assessment during the 2013-2014 school year and to assess in all suspected areas of disability. The motion to amend is timely and is granted.

ORDER

1. Student's motion to amend is granted. The amended complaint shall be deemed filed on the date of this Order.
2. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

DATE: June 26, 2014

/s/

THERESA RAVANDI
Administrative Law Judge
Office of Administrative Hearings