

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT AND EL CAMINO REAL
CHARTER HIGH SCHOOL.

OAH Case No. 2014060001

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On May 27, 2014, Student, through her attorney, filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District. On July 25, 2014, Student filed a motion to amend the complaint, together with an Amended Due Process Hearing Request (amended complaint). The amended complaint added El Camino Real Charter High School as a defendant in the case. No opposition was received to the motion to amend.

APPLICABLE LAW AND DISCUSSION

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).)¹ 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 due process hearing in this matter is currently scheduled to begin on September 23, 2014. Therefore, Student's motion to amend the complaint is timely and unopposed, and is accordingly granted.

ORDER

¹ All statutory citations are to title 20 United States Code, unless otherwise indicated.

1. Student's motion to amend the complaint is granted. All currently set dates in this matter are vacated.
2. The amended complaint shall be deemed filed on the date of this order, and all applicable timelines are reset as of the date of this order. The 45-day timeline for issuance of the decision in this matter shall be based on the date of this order.
3. OAH will issue a scheduling order with the new dates based on the timelines now reset pursuant to this order.

DATE: August 4, 2014

/s/

ADENIYI AYOADE
Administrative Law Judge
Office of Administrative Hearings