

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. 2015010294

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On January 7, 2015, Student filed a Due Process Hearing Request (complaint), naming Los Angeles Unified School District. On January 9, 2015, Student filed an Amended Due Process Hearing Request (amended complaint), which OAH interprets as a motion for leave to amend the complaint. No opposition was received from District.

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 amended complaint only changes Student's last name, however, amendment appears to be the proper way to correct this as without the correct name, District may not have been able to timely respond. The motion to amend is timely and 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.

DATE: January 20, 2015

/s/

KARA HATFIELD

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

Administrative Law Judge
Office of Administrative Hearings