

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 WATTS LEARNING
CENTER CHARTER SCHOOL K-5.

OAH Case No. 2015030195

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On March 2, 2015, Student filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District. On March 11, 2015, Student filed a First Amended Due Process Complaint, which OAH will treat as a motion to amend Student's original filing. The only difference between the original complaint and the proposed amended complaint appears to be the addition of the Watts Learning Center Charter School K-5, as a named party respondent. In all other aspects, Student's proposed amended complaint is the same as his original complaint.

Student served a copy of his proposed amended complaint on both named respondents. Neither Los Angeles Unified nor the Watts Learning Center has filed an opposition or other response to Student's 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).)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 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 treated this as a complaint involving both issues requiring an expedited

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

hearing and those that do not. However, this complaint does not involve issues requiring an expedited hearing. Accordingly, OAH will issue a scheduling order with only new dates for a non-expedited hearing.

IT IS SO ORDERED.

DATE: March 19, 2015

/s/

DARRELL LEPKOWSKY

Administrative Law Judge

Office of Administrative Hearings