

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT AND LOCKHURST DRIVE
CHARTER ELEMENTARY SCHOOL.

OAH Case No. 2017040284

LOS ANGELES UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2017020309

ORDER GRANTING MOTION TO
AMEND STUDENT'S COMPLAINT

On February 7, 2017, Los Angeles Unified School District filed a Request for Due Process Hearing with the Office of Administrative Hearings in case number 2017020309 (District's Case), naming Student. On April 4, 2017, Student filed a Request for Due Process Hearing with OAH in case number 2017040284 (Student's Case), naming District. On April 13, 2017, OAH granted consolidation of both Student's and District's cases, as the cases involved a common question of law or fact, and consolidation furthered the interests of judicial economy.

On April 14, 2017, Student filed a motion to amend due process hearing request (amended complaint) to name another respondent, Lockhurst Drive Charter Elementary School (Charter School). No opposition has been 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).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

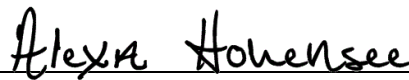
The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

However, as Charter School was not given an opportunity to be heard on the motion for consolidation, leave is granted for Charter School to file a motion for reconsideration of the consolidation motion within 15 days of the date of this order. Student shall promptly serve Charter School with a copy of this order and copies of all pleadings filed in these consolidate cases.

IT IS SO ORDERED.

DATE: April 26, 2017

DocuSigned by:

A handwritten signature in black ink that reads "Alexa Hohensee". The signature is written over a horizontal line.

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ALEXA J. HOHENSEE

Administrative Law Judge

Office of Administrative Hearings