

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. 2017030357

ORDER FOLLOWING PREHEARING
CONFERENCE AND GRANTING
REQUEST TO AMEND COMPLAINT

On April 28, 2017, a telephonic prehearing conference was held before Administrative Law Judge Elsa H. Jones, Office of Administrative Hearings. George D. Crook, Attorney at Law, appeared on behalf of Student and Parent (collectively, Student.) Patrick J. Balucan, Attorney at Law, appeared on behalf of Los Angeles Unified School District. The PHC was recorded.

Based upon discussion with the parties, the ALJ issues the following Order:

Request to Amend the Complaint. On April 20, 2017, Student filed a first amended due process hearing request (complaint). OAH deemed this filing a request to file a first amended complaint, and the request was considered at the PHC. District did not file any opposition to the request, and did not oppose the request at the PHC.

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.

IT IS SO ORDERED.

DATE: May 1, 2017

DocuSigned by:

Elsa H. Jones

ELSA H. JONES

Administrative Law Judge

Office of Administrative Hearings