

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT AND FENTON
CHARTER PUBLIC SCHOOLS.
OAH CASE NUMBER 2021070314

ORDER FOLLOWING PREHEARING CONFERENCE
GRANTING STUDENT'S MOTION TO AMEND

OCTOBER 15, 2021

On October 15, 2021, Administrative Law Judge Brian H. Krikorian, Office of Administrative Hearings, called OAH, held a prehearing video conference. The Administrative Law Judge will be referred to as an ALJ. The prehearing conference will be referred to as a PHC.

Serop Hovsepien, Attorney at Law, appeared on behalf of Student. Rebecca Diddams, Attorney at Law, appeared on behalf of Fenton Charter Public Schools. The PHC was convened at 10:00 AM, and trailed for five minutes to permit an appearance of Los Angeles Unified School District's counsel. No appearance was made on behalf of

Los Angeles Unified. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

MOTION TO AMEND

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before 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).)

On July 9, 2021, Student filed a request for due process hearing, called a complaint, with OAH naming Fenton Charter and Los Angeles Unified. Student filed a motion to amend the complaint and a proposed amended complaint on October 12, 2021. The proposed amended complaint includes a new claim and a new proposed resolution. The motion to amend was filed more than five days prior to the due process hearing. At the commencement of the PHC, counsel for Fenton Charter indicated no opposition to the motion on the record. There was no written response or objection filed by Los Angeles Unified. Therefore, the motion was deemed timely and was 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 shall issue a revised scheduling order.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Brian Krikorian".

Brian Krikorian

Administrative Law Judge

Office of Administrative Hearings