

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 NUMBER 2021080922

ORDER DENYING MOTION TO AMEND COMPLAINT

OCTOBER 13, 2021

On August 31, 2021, Parent on behalf of Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Los Angeles Unified School District. The Office of Administrative Hearings is referred to as OAH.

On September 10, 2021, Student filed a motion to amend the complaint and an incomplete amended complaint. On October 12, 2021, Los Angeles Unified filed a non-opposition to the motion.

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).)

The motion to amend the complaint is denied as the amended complaint only describes a third problem Student seeks to add but fails to include the two problems set forth in Student's initial complaint. A complaint must contain all of Student's claims with a description of each problem Student seeks to address at hearing, including the proposed resolutions for each of the problems. Student may re-submit, with proof of service to Los Angeles Unified, a motion to amend and an amended complaint containing all the issues to be addressed at hearing.

IT IS SO ORDERED.

Rommel P. Cruz

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Administrative Law Judge

Office of Administrative Hearings