

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021100192

ORDER GRANTING MOTION TO AMEND AND ORDER
FOLLOWING PREHEARING CONFERENCE

FEBRUARY 1, 2022

On January 31, 2022, Administrative Law Judge Rita Defilippis, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Parents appeared on behalf of Student. Patrick Balucan, Attorney at Law, appeared on behalf of Los Angeles Unified School District, called Los Angeles. The PHC was recorded. Parents confirmed at the prehearing conference that Student's legal counsel withdrew as counsel for Student on January 28, 2022, and Parents now

represent Student in this matter. Based upon discussion with the parties, the ALJ issues the following order:

MOTION TO AMEND

On January 28, 2022, Student filed a motion to amend the due process complaint and an amended complaint. Los Angeles stated its non-opposition at the beginning of the prehearing conference.

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 was filed more than five days prior to the due process hearing. Los Angeles consents to the amendment. Therefore, it 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.

All other issues will be discussed at the rescheduled prehearing conference.

IT IS SO ORDERED.

Rita Defilippis

Rita Defilippis

Administrative Law Judge

Office of Administrative Hearings