

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 2023080967

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 10, 2024

On August 28, 2023, Parents on behalf of Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Soledad Unified School District. The Office of Administrative Hearings is referred to as OAH. On January 4, 2024, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. On January 9, 2024, Los Angeles Unified School District file notice of non-opposition to Student's motion to amend.

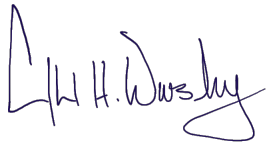
An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before the due process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

Here, the motion to amend was filed more than five days prior to the due process hearing and is unopposed. Therefore, it is timely and is granted. However, the parties are on notice that this case will have been pending for almost six months by the time it proceeds to hearing. Accordingly, OAH does not contemplate granting any further continuance.

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.

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley". The signature is stylized with a large initial "C" and "W".

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings