

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

KIPP SOCAL PUBLIC SCHOOL.
OAH CASE NUMBER 2024010114

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 18, 2024

On January 4, 2024, Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming KIPP Socal Public School. The Office of Administrative Hearings is referred to as OAH. On January 12, 2024, Student filed a motion to amend the complaint and an amended complaint, to correct the name of a party. OAH has not received a response from KIPP Socal Public School. The due process hearing is scheduled to begin on February 21, 2024.

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. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Cole Dalton

Cole Dalton

Administrative Law Judge

Office of Administrative Hearings