

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

ALLIANCE OUCHI-O'DONOVAN 6-12 COMPLEX AND
LOS ANGELES UNIFIED SCHOOL DISTRICT.
OAH CASE NUMBER 2024050968

ORDER GRANTING MOTION TO AMEND COMPLAINT

JUNE 20, 2024

On May 24, 2024, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Alliance College-Ready Public Schools. The Office of Administrative Hearings is referred to as OAH. On June 10, 2024, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint, substituting in the correct name of the charter school, Alliance Ouchi-O'Donovan 6-12 Complex, and additionally naming Los Angeles Unified School District. Alliance Ouchi-O'Donovan filed a statement of non-opposition on June 13, 2024. Student served the motion to amend and proposed amended complaint on Los Angeles Unified, but OAH did not receive a response to Student's motion. The due process hearing is scheduled to begin on July 16, 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, and OAH has received the charter school's written consent 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.

IT IS SO ORDERED.

Kara Hatfield

Kara Hatfield

Administrative Law Judge

Office of Administrative Hearings