

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 2024060730

ORDER GRANTING MOTION TO AMEND COMPLAINT

SEPTEMBER 4, 2024

On June 20, 2024, Parents 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, called Los Angeles. The Office of Administrative Hearings is referred to as OAH. On August 29, 2024, Student filed a motion to amend the due process hearing request and an amended complaint. Los Angeles filed a statement of non-opposition on September 3, 2024. The due process hearing is scheduled to begin on September 10, 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. (20 U.S.C. § 1415(c)(2)(E)(i)(I).) 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. Student's request to maintain the September 10 through 12, 2024 due process hearing dates is denied. Los Angeles has the right to attempt to resolve the amended complaint through a resolution session. 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.

Jennifer Kelly

Jennifer Kelly

Administrative Law Judge

Office of Administrative Hearings