

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA BARBARA UNIFIED SCHOOL
DISTRICT AND SANTA BARBARA
COUNTY OFFICE OF EDUCATION.

OAH CASE NO. 2012031007

ORDER GRANTING MOTION TO
AMEND COMPLAINT AND
VACATING CURRENTLY
SCHEDULED DATES

On March 23, 2012, Student filed a Due Process Hearing Request (complaint), naming Santa Barbara Unified School District (District) and Santa Barbara County Office of Education (County). At the start of the prehearing conference on May 9, 2012, the administrative law judge (ALJ) granted Student's motion to amend his complaint. The ALJ gave Student until May 11, 2012, at 5:00 p.m. to file an amended complaint. The ALJ continued the prehearing conference to Monday, May 14, 2012, at 3:00 p.m. The due process hearing is currently scheduled on May 17, 2012.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to 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).)

Student timely filed an amended complaint on May 11, 2012. All applicable timelines shall be reset as of the date of this order. The currently scheduled dates for the prehearing conference and due process hearing are vacated. The Office of Administrative Hearings will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: May 14, 2012

/s/

TROY K. TAIRA
Administrative Law Judge
Office of Administrative Hearings