

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2012030126

ORDER DENYING MOTION FOR
CLARIFICATION

On March 15, 2012, Long Beach Unified School District (District) filed a motion to dismiss Issues One, Two, and Four of Student's request for due process hearing (complaint) filed on March 5, 2012. On March 20, 2012, Student filed an opposition to District's motion to dismiss. The Office of Administrative Hearings (OAH) issued an Order Granting In Part District's Motion to Dismiss on March 27, 2012¹. On March 27, 2012, Student filed a request for clarification of OAH's order with respect to the two-year statute of limitations restriction upon Student's claims in Issue One.

OAH's order clearly limited any legal *claim* for a denial of a free appropriate public education, based upon a failure to provide educational records, to the two years preceding the filing of the complaint. (Ed. Code § 56505, subd. (1); see also 20 U.S.C. § 1415(f)(3)(C).) The order does not make a finding upon when and how Parents are entitled to obtain educational records, nor does it make a finding upon what evidence may be relevant or admissible at the due process hearing. Accordingly, Student's motion for clarification is denied.

IT IS SO ORDERED.

Dated: April 2, 2012

/s/

THERESA RAVANDI
Administrative Law Judge
Office of Administrative Hearings

¹ This Order is dated March 24, 2012 in error. The Order was issued March 27, 2012.