

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2011090698

v.

LUCIA MAR UNIFIED SCHOOL DISTRICT
AND SAN LUIS OBISPO COUNTY OFFICE
OF EDUCATION,

LUCIA MAR UNIFIED SCHOOL DISTRICT,

OAH CASE NO. 2011070196

v.

PARENT ON BEHALF OF STUDENT.

ORDER FOLLOWING PREHEARING
CONFERENCE AND ORDER
GRANTING STUDENT'S MOTION TO
AMEND COMPLAINT

On February 1, 2012, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Charles Marson, Office of Administrative Hearings (OAH). Mother appeared on behalf of Student. Charles L. Weatherly, Attorney at Law, appeared on behalf of the Lucia Mar Unified School District. Justin Shinnefield, Attorney at Law, appeared on behalf of the San Luis Obispo County Office of Education. The PHC was recorded

By agreement of the parties and the ALJ, Student's pending motion to file a first amended complaint was argued and decided.

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).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on February 1, 2012. All dates currently on calendar in these consolidated matters are vacated, and the applicable timelines shall be reset as of February 1, 2012. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: February 01, 2012

/s/

CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings