

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2024040071

ORDER GRANTING MOTION TO AMEND COMPLAINT

JUNE 7, 2024

On March 25, 2024, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Santa Maria Joint Union High School District, called Santa Maria, and Santa Barbara County Education Office. The Office of Administrative Hearings is referred to as OAH. Student dismissed Santa Barbara County Education Office as a party on April 16, 2024.

On June 4, 2024, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. Santa Maria filed a non-opposition on June 6, 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 is unopposed. The motion, filed after the prehearing conference in this matter, was accompanied by a declaration demonstrating good cause for the timing of this motion. 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.

Ashok Pathi

Ashok Pathi

Administrative Law Judge

Office of Administrative Hearings