

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

RIVER SPRINGS CHARTER SCHOOL.

OAH Case No. 2015110494

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On November 9, 2015, Parents on behalf of Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming River Springs Charter School. On December 24, 2015, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). On December 28, 2015, River Springs filed a Response to the motion stating that it did not oppose Student's motion.

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 amended complaint seeks to add additional issues which have arisen since the filing of the complaint. These additional issues are the appropriateness of River Spring's proposed Individualized Education Program on November 19, 2015, and its failure to grant Parents' request for an Independent Education Evaluation. Thus, the permitting of the filing of the amended complaint will lead to judicial economy.

The motion to amend 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.

DATE: December 28, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings