BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

INSPIRE CHARTER SCHOOL.

OAH CASE NUMBER 2019080010

ORDER DENYING MOTION TO COMPEL RESPONSE TO COMPLAINT AS MOOT

On July 31, 2019, Student filed a request for due process hearing with the Office of Administrative Hearings, called OAH, naming Inspire Charter School as respondent. On August 14, 2019, Inspire filed a Response to Students Request for Due Process. On August 14, 2019, Student filed a Motion to Compel a Response to Student's complaint.

The Individuals with Disabilities Education Act requires a district to send to the parent a response to the parent's due process complaint, within 10 days of receiving the complaint, if the local education agency has not previously sent a prior written notice to the parent regarding the subject matter contained in the parent's complaint. (20 U.S.C. §1415(c)(2)(B)(i)(I); Ed. Code §56502, subd. (d)(2)(B).) The response shall include an explanation of why the agency proposed or refused to take the action raised in the complaint; a description of other options that the individualized education program team considered and the reasons why those options were rejected; a description of each

evaluation procedure, assessment, record, or report the agency used as the basis for the proposed or refused action; and a description of the factors that are relevant to the agency's proposal or refusal. (Ibid.)

In the present matter, Inspire has demonstrated that a response to the complaint has been provided. Student's motion to compel the response is, therefore, DENIED as moot.

DATED: August 20, 2019

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Rita Defilippis
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Rita Defilippis
Administrative Law Judge
Office of Administrative Hearings