BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:

PARENT ON BEHALF OF STUDENT,

v.

PACIFIC CHARTER INSTITUTE AND VALLEY VIEW CHARTER PREP,

OAH CASE NUMBER 2020060885

and

VALLEY VIEW CHARTER PREP,

v.

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2020060931

ORDER GRANTING MOTION TO AMEND COMPLAINT

SEPTEMBER 11, 2020

On June 25, 2020, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Pacific Charter Institute and Valley View Charter Prep. The Office of Administrative Hearings is referred to as OAH. On September 8, 2020, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. Pacific Charter Institute and Valley View Charter Prep filed an opposition to the motion on September 10, 2020.

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. 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 scheduled start of the due process hearing on September 15, 2020. 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. Student's case remains the primary case in the consolidated matter. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DocuSigned by:
Chris Butchko
34B49AF59A2749D...

Chris Butchko

Administrative Law Judge

Office of Administrative Hearings