

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIVER SPRINGS CHARTER ACADEMY
AND RIVERSIDE COUNTY OFFICE OF
EDUCATION.

OAH Case No. 2018030675

ORDER DENYING RIVERSIDE
COUNTY OFFICE OF EDUCATION'S
MOTION TO DISMISS, WITHOUT
PREJUDICE

On March 14, 2018, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings naming River Springs Charter Academy and Riverside County Office of Education. On March 29, 2018, River Springs Charter filed a Notice of Insufficiency as to Student's complaint. The same day, Riverside County Office of Education joined the Notice of Insufficiency.

On March 29, 2018, Riverside County Office of Education also filed a motion to be dismissed as a party, generally asserting that it is not a local educational agency responsible for, or in any way contributing to, Student's special education placement and services. On April 3, 2018, Student filed opposition and River Springs Charter filed a non-opposition.

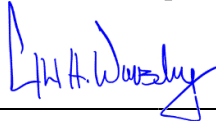
On April 3, 2018, OAH issued an Order finding Student's complaint to be insufficiently pled. Student was given 14 days to file an amended complaint, addressing the identified insufficiencies. If Student fails to file a timely amended complaint, Student's due process request will be dismissed.

Riverside County Office of Education's motion addresses a complaint that has been ruled insufficient and is not the operative complaint. The motion to dismiss is denied, without prejudice. If Student timely files an amended complaint, Riverside County Office of Education may, if desired, file a motion to dismiss therefrom.

IT IS SO ORDERED.

DATE: April 03, 2018

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CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings