

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:
PARENT ON BEHALF OF STUDENT,

and

RIVER SPRINGS CHARTER SCHOOL ,
OAH CASE NUMBER 2021050302
OAH CASE NUMBER 2021060381

ORDER GRANTING STUDENT'S MOTION TO AMEND
COMPLAINT

SEPTEMBER 23, 2021

On May 10, 2021, Student filed with the Office of Administrative Hearings, known as OAH, a request for due process hearing in OAH case number 2021050302, naming River Springs Charter School. On June 15, 2021, OAH granted the parties' joint request for mediation on August 5, 2021, and a continuance of the due process hearing to October 5 through 7, 2021.

On June 10, 2021, River Springs filed a request for due process hearing in OAH case number 2021060381, naming Parent on behalf of Student.

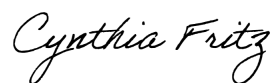
On June 16, 2021, River Springs filed a motion to consolidate the cases and to maintain the dates in Student's case for the mediation, prehearing conference and due process hearing for both cases. OAH granted River Springs' motion to consolidate.

On September 20, 2021, Student filed a request for leave to amend his complaint and an amended complaint. River Springs does not oppose the motion.

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).)

Student's motion to amend was filed more than five days before the due process hearing, and OAH received written consent to the amendment. 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. The prior designation regarding primary case remains. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz
Administrative Law Judge
Office of Administrative Hearings