

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

PACIFIC SPRINGS CHARTER SCHOOL.
OAH CASE NUMBER 2023120795

ORDER GRANTING MOTION TO AMEND COMPLAINT

JANUARY 16, 2024

On December 20, 2023, Parents on behalf of Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming Springs Charter Schools. The Office of Administrative Hearings is referred to as OAH. Administrative Law Judge is referred to as ALJ.

On January 9, 2024, Student filed a motion to amend the due process hearing request and an amended complaint. The amended complaint changed the name of the respondent from Springs Charter Schools to Pacific Springs Charter Schools. On January 11, 2024, Springs Charter Schools filed a statement of non-opposition. The due process hearing is scheduled to begin on February 28, 2024.

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).)

The motion to amend was filed more than five days prior to the due process hearing. Therefore, the motion is timely and is granted. The amended complaint is corrected to reflect the Respondent as Pacific Springs Charter School and shall be deemed filed on the date of this Order. OAH will issue a scheduling order with new hearing dates.

IT IS SO ORDERED.

Thanayi Lindsey
Thanayi Lindsey (Jan 17, 2024 16:36 PST)

Thanayi Lindsey

Administrative Law Judge

Office of Administrative Hearings