

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT

v.

CONNECTING WATERS CHARTER SCHOOL-EAST BAY
OAH CASE NUMBER 2024050643

ORDER GRANTING MOTION TO AMEND COMPLAINT
AND ORDER DENYING MOTION TO CONTINUE DUE
PROCESS HEARING, AS MOOT

JUNE 20, 2024

On May 16, 2024, Parent on behalf of Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming El Dorado County Office of Education. The Office of Administrative Hearings is referred to as OAH. On May 31, 2024, Student filed a proposed amended complaint. However, before OAH issued a ruling, Student filed an updated proposed amended complaint on June 20, 2024. Therefore, this Order addresses Student's June 20, 2024 proposed amended complaint, which OAH considers to be a motion to amend.

Also, on June 19, 2024, El Dorado County Office of Education filed a motion to continue the hearing of July 2 and 3, 2024.

STUDENT'S AMENDMENT

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 June 20, 2024 proposed amended complaint removes Eldorado County Office of Education as a party respondent, and adds Connecting Waters Charter School–East Bay, as a party respondent. The request to amend 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. OAH will issue a scheduling order with the new dates.

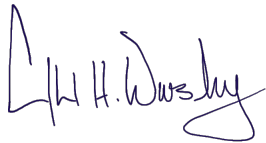
EL DORADO COUNTY OFFICE OF EDUCATION'S MOTION TO CONTINUE

El Dorado County Office of Education's motion seeks a continuance of the July 2 and 3, 2024 hearing dates. Pursuant to the order granting Student's request to amend, these hearing dates are vacated. Also, El Dorado County Office of Education is no longer a party respondent. Therefore, the motion to continue is denied as moot.

ORDER

1. Student's request to amend is granted. Student's amended complaint, filed June 20, 2024, is deemed filed as of the date of this Order.
2. All dates are vacated and OAH shall issue a new scheduling order with new dates.
3. El Dorado County Office of Education's motion to continue the hearing is denied, as moot.

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley". The signature is stylized with a large initial "C" and a long, sweeping underline.

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings