BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ASPIRE INSKEEP ACADEMY CHARTER, ASPIRE CENTENNIAL COLLEGE PREPARATORY ACADEMY & ASPIRE PUBLIC SCHOOLS,

RESPONDENT.

OAH CASE NUMBER 2023020691

ORDER GRANTING MOTION TO AMEND COMPLAINT

MARCH 17, 2023

On February 21, 2023, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Aspire Inskeep Academy Charter and Aspire Public Schools as Respondents. The Office of Administrative Hearings is referred to as OAH. On March 14, 2023, Student filed a Motion to Amend the Due Process Hearing Request and on March 15, 2023, Student also filed the amended complaint added Aspire Centennial College Preparatory Academy as an additional respondent.

On March 16, 2023, all respondents filed a non-opposition to the motion to amend.

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 and OAH has 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. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

June Lehrman

June Lehrman
Administrative Law Judge
Office of Administrative Hearings