BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENTS ON BEHALF OF STUDENT, v. SPRINGS CHARTER SCHOOLS; A.K.A. RIVER SPRINGS CHARTER SCHOOLS.	OAH Case No. 2018031003 ORDER FOLLOWING PREHEARING CONFERENCE; ORDER GRANTING MOTION TO AMEND COMPLAINT

On May, 2018, a telephonic prehearing conference was held before Administrative Law Judge Darrell Lepkowsky, Office of Administrative Hearings. Punam Patel Grewal and Michelle B. Powers, Attorneys at Law, appeared on behalf of Student and her parents. Deborah R.G. Cesario, Attorney at Law, appeared on behalf of Springs Charter Schools, A.K.A. River Springs Charter School. The ALJ recorded the PHC.

Student filed a due process hearing request (complaint) on March 21, 2018. On April 9, 2018, OAH granted Student's motion to amend her complaint. On May 22, 2018, Student timely filed a second motion to amend, along with a proposed amended complaint. At the PHC held on May 25, 2018, District stated that it did not oppose Student's motion to amend.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to 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).)

In this case, Student has stated good cause to amend her complaint a second time based on changed circumstances pursuant to an order of the Federal District Court. Her motion is timely and District does not oppose it. The motion to amend is therefore granted. However, as this is the second motion to amend, Student is cautioned that no further motions to amend will be granted in this case.

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.

DATE: May 29, 2018

DocuSigned by:
Darrell Lepkowsky
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DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings