BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

NEWARK UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022120182

ORDER GRANTING IN PART AND DENYING WITHOUT PREJUDICE IN PART NEWARK'S REQUEST FOR CLARIFICATION

MARCH 8, 2023

On February 3, 2023, Parent on behalf of Student timely filed with the Office of Administrative Hearings, called OAH, a second amended complaint naming Newark Unified School District. On February 16, 2023, Newark Unified timely filed a Notice of Insufficiency as to the second amended complaint. On February 21, 2023, OAH issued an Order Determining Due Process Complaint Partially Sufficient and Denying Student's Motion to Dismiss Notice of Insufficiency.

On February 28, 2023, Newark Unified filed a Request for Clarification of the February 21, 2023 Order Determining Due Process Complaint Partially Insufficient. Student did not file a response.

Newark Unified noted a typographical error in Order number 2 of OAH's February 21, 2023 Order. Newark Unified's request for clarification regarding Order number 2 is granted and a Corrected Order Determining Due Process Complaint Partially Sufficient and Denying Student's Motion to Dismiss Notice of Insufficiency is issued concurrently with this Order to reflect the correction.

Newark Unified also requested clarification about the time periods at issue in Issue 3 of Student's second amended complaint, as determined to be sufficient in the February 21, 2023 Order. Newark Unified's request for clarification is denied without prejudice. The scope of issues for the due process hearing shall be addressed at the prehearing conference, if the parties do not resolve the claims Student's sufficiently pleaded through a resolution session, mediation, or other negotiation.

IT IS SO ORDERED.

Kara Hatfield

Kara Hatfield
Administrative Law Judge
Office of Administrative Hearings