BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LINCOLN UNIFIED SCHOOL DISTRICT AND SAN JOAQUIN COUNTY OFFICE OF EDUCATION.	OAH CASE NO. 2013090535 TENTATIVE ORDER OF DETERMINATION OF SUFFICIENCY OF DUE PROCESS COMPLAINT, DISMISSING NOTICE OF INSUFFICIENCY AS MOOT TENTATIVE RULING SUBJECT TO ORAL ARGUMENT

On September 16, 2013, Student filed a due process hearing request[1] (complaint) naming the Lincoln Unified School District (District) and the San Joaquin County Board of Education (County). On January 9, 2014, Student filed a second amended complaint.

On January 13, 2014, District filed a Notice of Insufficiency (NOI) as to Student's second amended complaint under the provisions of section 1415(c)(2)(A) of title 20 of the United States Code.

In another Order dated this same day, the Office of Administrative Hearings has issued a tentative ruling dismissing Student's second amended complaint and dismissing this action with prejudice. District's NOI is therefore dismissed as moot, subject to the oral argument set in the order regarding District's motion to dismiss.

Dated: January 27, 2014

/s/
CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings

[1] A request for a due process hearing under Education Code section 56502 is the due process complaint notice required under title 20 United States Code section 1415(b)(7)(A).