BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

# IN THE MATTER OF:

# PARENTS ON BEHALF OF STUDENT,

v.

# RIVER OAK CHARTER SCHOOL, UKIAH UNIFIED SCHOOL DISTRICT, AND MENDOCINO COUNTY OFFICE OF EDUCATION.

# OAH CASE NUMBER 2025040219

# ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

APRIL 16, 2025

On April 1, 2025, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming River Oak Charter School, Ukiah Unified School District, and Mendocino County Office of Education. On April 14, 2025, Ukiah Unified School District filed a Notice of Insufficiency and an Amended Notice of Insufficiency as to the complaint.

The named parties have the right to challenge the complaint's sufficiency. (20 U.S.C. § 1415(b) & (c).) The party filing the complaint is not entitled to a hearing

unless the complaint meets the requirements of title 20 United States Code section 1415(b)(7)(A).

A complaint is sufficient if it:

1. describes the problem relating to the proposed change regarding the Student's identification, evaluation, or educational placement, or providing the Student a free appropriate public education;
2. includes facts about the problem; and
3. includes a proposed resolution to the extent known and available to the party at the time.

(20 U.S.C. § 1415(b)(7)(A)(ii)(III) & (IV).) These requirements prevent vague and confusing complaints and promote fairness by providing the named parties with sufficient information to know how to prepare for the hearing and how to participate in resolution sessions and mediation. (See H.R.Rep. No. 108-77, 1st Sess. (2003), p. 115; Sen. Rep. No. 108-185, 1st Sess. (2003), pp. 34-35.)

The complaint provides enough information when it provides "an awareness and understanding of the issues forming the basis of the complaint." (Sen. Rep. No. 108-185, *supra*, at p. 34.) The pleading requirements should be liberally construed in light of the broad remedial purposes of the IDEA and the relative informality of the due process hearings it authorizes. (*Alexandra R. ex rel. Burke v. Brookline School Dist.* (D.N.H., Sept. 10, 2009, CIV. 06-CV-0215-JL) 2009 WL 2957991[nonpub. opn.]; *Escambia County Board of Educ. v. Benton* (S.D.Ala. 2005) 406 F.Supp.2d 1248, 1259-1260; *Sammons v. Polk County School Board* (M.D.Fla., Oct. 28, 2005, 8:04CV2657T24EAJ) 2005 WL 2850076 [nonpub. opn.]; but cf. *M.S.-G v. Lenape Regional High School Dist. Board of Educ.* (3d Cir. 2009) 306 Fed.Appx. 772, 775 [nonpub. opn.].) Whether the

complaint is sufficient is a matter within the sound discretion of the Administrative Law Judge. (*Assistance to States for the Educ. of Children with Disabilities & Preschool Grants for Children with Disabilities* (Aug. 14, 2006) 71 FR 46540-46541, 46699.)

Student alleges that from the start of the 2022-2023 school year through approximately February 23, 2025, he attended River Oak Charter School and that Ukiah Unified is the responsible local educational agency for River Oak Charter School. Student alleges that on February 24, 2025, Parents removed Student from River Oak Charter School and enrolled him in his school of residence within Ukiah Unified.

Ukiah Unified asserts in its Amended Notice of Insufficiency that it cannot tell from Student's complaint what acts or omissions Student alleges were done or not done by Ukiah Unified, distinct from River Oaks Charter School or Mendocino County Office of Education, because Student refers to all three entities together as "respondents" and alleges the "respondents" did and did not do various things. But Student's allegation that Ukiah Unified is the local educational agency responsible for students attending River Oaks Charter School is sufficient to inform Ukiah Unified that Student alleges Ukiah Unified was responsible for Student's free appropriate public education at all times, while he attended River Oaks Charter School as well as since February 24, 2025, while he attends his local school within Ukiah Unified.

On April 8, 2025, Mendocino County Office of Education moved to be dismissed from the case because it is not the local educational agency responsible for providing Student a free appropriate public education, evidenced by Student's allegation that Ukiah Unified School District is the local educational agency responsible for Student. Student filed an opposition on April 10, 2025. That motion is addressed by separate order. But the significance of Mendocino County's motion to be dismissed as a party is that it confirms the facts alleged in Student's complaint are sufficient to allow

Mendocino County to respond and participate in a resolution session and mediation, and to prepare for the hearing.

The facts alleged in Student's complaint are sufficient. Student's complaint identifies the issues for hearing, asserting Student was denied a free appropriate public education because of failures to assess Student in specified areas, failures to offer adequate special education and related services in the individualized education programs offered during the statutory timeframe, and modification of the academic curriculum during the 2023-2024 school year. Student's complaint identifies the issues and adequate facts about the problems to permit River Oak Charter School, Ukiah Unified School District, and Mendocino County Office of Education to respond and participate in a resolution session and mediation, and to prepare for the hearing.

Therefore, Student's statement of the claims is sufficient.

## ORDER

1. The complaint is sufficient under title 20 United States Code section 1415(b)(7)(A)(ii).
2. All mediation, prehearing conference, and hearing dates in this matter are confirmed.

*Kara Hatfield*

Kara Hatfield
Administrative Law Judge
Office of Administrative Hearings