BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT, CAMINO NUEVO ELEMENTARY #3, AND ALLIANCE DR. OLGA MOHAN HIGH SCHOOL.

OAH CASE NUMBER 2025120442

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

FEBRUARY 11, 2026

On January 26, 2026, Student filed an amended Due Process Hearing Request, called an amended complaint, with the Office of Administrative Hearings, referred to as OAH, naming as respondents the Los Angeles Unified School District and two independent charter schools, namely, Camino Nuevo Elementary# 3, and Alliance Dr. Olga Mohan High school, called Alliance.

On February 10, 2026, Alliance filed a Notice of Insufficiency as to the complaint.

APPLICABLE LAW

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 Bd. Of Educ. V. Benton* (S.D. Ala. 2005) 406 F.Supp.2d 1248, 1259-1260; *Sammons v. Polk County School Bd.* (M.D. Fla., Oct. 28, 2005, 8:04CV2657T24EAJ) 2005 WL 2850076 [nonpub. Opn.]; but cf. *M.S.-G v. Lenape Regional High School Dist. Bd. 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 46,540-46541, 46699.)

DISCUSSION

Student's amended complaint is insufficiently pled. Student named three respondents but provided no information about which issues pertain to which of the three. Neither did Student describe whether either charter school is a local educational agency, over which OAH has jurisdiction.

The amended complaint indiscriminately refers to "respondents" for all purported issues and claims. The amended complaint states that Student was enrolled at Camino Nuevo Elementary # 3 during the 2023-24 school year, and entered Alliance in August 2024. It does not clarify the involvement of Los Angeles Unified in Student's education. Student is alleged to have had a "long history of academic challenges [and] significant social emotional needs."

OAH has jurisdiction only over claims alleging the Individuals with Disabilities Education Act or California special education laws were violated. Special education due process hearings may involve the parent or guardian, a student, and "the public agency involved in any decisions regarding a pupil." (Ed. Code, § 56501, subd. (a).) A "public agency" is defined as "a school district, county office of education, special education local plan area, or any other public agency providing special education or related services to individuals with exceptional needs." (Ed. Code, §§ 56500 and 56028.5.)

Issue 1 states that all respondents denied him a free appropriate public education, or FAPE, from December 2023 to February 2025 by failing to conduct legally compliant assessments. Issue 1(b) argues that all respondents failed to conduct a functional behavioral assessment despite being on notice of Student's behavior needs.

Issue 2(a) contends all respondents denied him a placement in the least restrictive environment in individualized education plan offers dated September 20, 2024, February 21, 2025 and June 11, 2025, without specifying which respondent made those offers. Issue 3 alleges various denials of Parent's participatory rights, but without any information about which of the three respondents was responsible. The amended complaint therefore failed to provide any of the three respondents with the required problem description and the facts relating to the problem. The amended complaint did not provide enough information to provide "an awareness and understanding of the issues forming the basis of the complaint."

ORDER

1. Student's amended complaint is insufficiently pled under section title 20 United States Code 1415(c)(2)(D).
2. Student shall be permitted to file an amended complaint under title 20 United States Code section 1415(c)(2)(E)(i)(II).
3. The amended complaint shall comply with the requirements of title 20 U.S.C. section 1415(b)(7)(A)(ii), and shall be filed not later than 14 days from the date of this order.

4. If Student fails to file a timely amended complaint, the complaint will be dismissed.
5. All dates previously set in this matter are vacated.

IT IS SO ORDERED.

June Lehrman

June Lehrman

Administrative Law Judge

Office of Administrative Hearings