BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

TWIN RIVERS UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026010019

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

JANUARY 27, 2026

On December 31, 2025, Parents on behalf of Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Twin Rivers Unified School District, called Twin Rivers. On January 21, 2026, Twin Rivers Unified filed a Notice of Insufficiency to Student's complaint.

THE NOTICE OF INSUFFICIENCY IS UNTIMELY.

The named parties have the right to challenge the complaint's sufficiency. (20 U.S.C. § 1415(b) & (c).) The complaint is deemed sufficient unless a party notifies OAH and the other party in writing within 15 days of receiving the complaint that the

party believes the complaint has not met the notice requirements. (20 U.S.C. § 1415(c)(2)(C); Ed. Code, § 56502, subd. (d)(1).)

Student filed the complaint on Twin Rivers on December 31, 2025. Twin Rivers represented in its motion that Student's complaint was filed on January 7, 2026, which is incorrect. Twin Rivers served OAH and Student on December 31, 2025, according to the proof of service attached to Student's complaint. Thus, Twin Rivers' Notice of Insufficiency is untimely and the complaint is deemed sufficient.

STUDENT'S COMPLAINT IS SUFFICIENT.

Even if Twin Rivers' Notice of Insufficiency was timely, it fails. 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.)

Twin Rivers argued, in support of its Notice of Insufficiency that the complaint failed to allege any facts that Twin Rivers was the responsible local education agency or responsible for providing Student a free appropriate public education, and incorrectly alleged facts regarding Twin Rivers participation in Student's individualized education program, called IEP, team meetings and assessments.

Here, the complaint expressly alleged that Heritage Peak Charter School operates under Twin Rivers as Student's local educational agency. It further alleged that Twin Rivers failed to seek out Student for special education eligibility and did assess Student for special education. The complaint later alleged that Twin Rivers sent out multiple assessment plans to Student, drafted IEP documents, convened and attended IEP team meetings, and offered special education services to Student. Student's identification of Twin Rivers as the responsible local education agency, together with allegations of IDEA violations committed by Twin Rivers, and a specified time period, is sufficient to satisfy the notice pleading standard under these facts.

Further, the sufficiency inquiry does not evaluate the accuracy or credibility of the alleged facts. Disputes regarding whether allegations are correct, complete, or supported by the evidence go to the merits of the case.

At the sufficiency stage, the allegations are assumed to be true for purposes of determining whether they state a claim. To the extent Twin Rivers disagrees with the factual allegations, disputes its role or responsibility as the local education agency, or contends the factual allegations are incorrect, a notice of insufficiency is not the proper vehicle to contest these disputes. Rather, such arguments may be raised through other motions or addressed through evidence and testimony at the due process hearing.

ORDER

1. The complaint is deemed sufficient under title 20 United States Code section 1415(c)(2)(C) and Education Code section 56502, subdivision (d)(1).
2. The complaint is sufficient under title 20 United States Code section 1415(b)(7)(A)(ii).
3. All mediation, prehearing conference, and hearing dates in this matter are confirmed.

Cynthia Fritz

Cynthia Fritz
Administrative Law Judge
Office of Administrative Hearings