BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

CONEJO VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026031160

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

APRIL 13, 2026

On March 25, 2026, Parent on behalf of Student, filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Conejo Valley Unified School District, called Conejo Valley. On April 9, 2026, Conejo Valley 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.)

Student's complaint alleges nine issues. The issues involve allegations of bullying, as well as discipline, retaliation and coercion by Conejo Valley. Student proposes a wide variety of resolutions and requests orders on issues not alleged nor ripe, such as stay-put and a potential motion to compel.

Conejo Valley contends that Student's complaint is insufficient because the complaint does not describe any problems related to Student's identification, evaluation or education placement, or providing Student with a free appropriate public education. Conejo Valley argues that while Student's complaint uses IDEA terminology, it does not identify the specific district conduct, IDEA procedures or factual circumstances that form the basis of a violation. Conejo Valley alleges that Student is a general education student whom Parents have declined to have evaluated for special education services.

The complaint fails to provide Conejo Valley with the required problem description and the facts relating to the problem. Student does not allege that Conejo Valley failed to find him eligible for special education. Student appears to argue that Conejo Valley requested to perform a special education assessment out of retaliation. Although Student liberally uses IDEA terminology throughout the complaint, the complaint does not describe a problem and state sufficient facts alleging an IDEA claim. Pleading standards under the IDEA are broad, but still must provide the respondent with an awareness of the issue. Student's complaint does not.

A parent without an attorney may request that OAH provide a mediator to assist the parent in identifying the issues and proposed resolutions that must be included in a complaint. (Ed. Code, § 56505.) Parents are encouraged to contact OAH for assistance if they intend to amend their due process hearing request.

ORDER

1. Student's 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. The filing of an amended complaint will restart the applicable timelines for a due process hearing.
5. If Student fails to file a timely amended complaint, the complaint will be dismissed.
6. All dates previously set in this matter are vacated.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (Apr 13, 2026 15:17:20 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings