BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ORINDA UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2026060748

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT AND NOTICE OF NO ACTION FOR SUBSEQUENTLY FILED COMPLAINTS

JUNE 19, 2026

On June 18, 2026, the Office of Administrative Hearing, called OAH, pursuant to a Notice of No Action, determined that the operative complaint at issue in this matter is the first amended complaint filed on June 15, 2026, but deemed filed on June 16, 2026. OAH also determined that the operative notice of insufficiency was filed on June 16, 2026, by Orinda Union School District, called Orinda. Thus, the insufficiency determinations here analyze the above first amended complaint.

Subsequent to the Notice of No Action, Student filed three subsequent complaints, two filed on June 18, 2026, and one filed on June 19, 2026, without

appropriate motions to amend. Thus, the complaints filed on June 18 and 19, 2026, are legally incompliant and no action is taken on them.

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).

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).) Orinda's notice of insufficiency was timely filed on June 16, 2026.

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

Orinda argues that Student's issues lack specificity and may be outside of the statute of limitations. Student's complaint alleges one issue which is deemed sufficient.

Student's issue states: "At an IEP meeting held on May 28, 2026, the District refused and continues to refuse to incorporate medically necessary screen time accommodations into the Student's IEP, despite explicit written recommendations from two qualified medical and therapeutic professionals. The District's refusal constitutes a denial of FAPE as required under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., and California Education Code § 56000 et seq."

Student sole issue, as described above, is deemed sufficient. The issue provides an awareness and understanding of the issue forming the basis of the complaint so that Orinda Union can participate in the mediation and due process hearing, and defend itself.

MEDIATOR ASSISTANCE FOR NON-REPRESENTED PARENTS: Given the multiple filings that appear to assert new claims without an accompanying Motion to Amend,

Parent may be unclear about the complaint and amendment process. 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.) Pursuant to the docket notes in this matter, Parent has already requested OAH provide Parent mediator assistance. An OAH mediator should contact Parent within one week.

As a reminder, at this juncture, the only issue before OAH is included in the June 16, 2026, complaint discussed herein. Should Parent seek to amend that complaint, it will require filing a Motion to Amend and a Second Amended Complaint that includes all of the issues Parent seeks to adjudicate in a single complaint. This process can be discussed during the mediator assistance process.

ORDER

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

Cynthia Fritz

Cynthia Fritz
Administrative Law Judge
Office of Administrative Hearings