BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

TWIN RIVERS UNIFIED SCHOOL DISTRICT

AND CENTER JOINT UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026060034

AMENDED ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT REGARDING TWIN RIVERS UNIFIED SCHOOL DISTRICT ONLY

JUNE 30, 2026

On May 27, 2026, 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 and Center Joint Unified School District. On June 8, 2026, Twin Rivers Unified filed a Notice of Insufficiency as to Student's complaint. Due to a clerical error, the initial Order Determining Insufficiency, dated June 9, 2026, was not served on Student. Therefore, the Order Determining Insufficiency is hereby amended, effective as of this date.

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

Although listed as three incomplete issues, when combined, Student's complaint alleges that "the Districts" have materially failed to implement Student's December 17, 2025 individualized educational program, by failing to provide one-to-one health and nursing services and transportation services resulting in Student being unable to attend approximately 75 percent of her educational program for the 2025-2026 school year.

Twin Rivers Unified contends that Student's complaint in its entirety, provides no factual basis connecting Student's claims to Twin Rivers Unified as Student's local educational agency or party responsible for developing or implementing Student's December 17, 2025 individualized education program. The complaint makes no specific claim that Twin Rivers Unified denied Student a free appropriate public education in any manner. Therefore, Student's complaint, in its entirety, is insufficiently pled as to Twin Rivers Unified only.

MEDIATOR ASSISTANCE FOR NON-REPRESENTED PARENTS: 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 title 20 United States Code 1415(c)(2)(D) as to Twin Rivers Unified only.

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 United States Code 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 as to Twin Rivers Unified only.
5. All dates previously set in this matter are vacated as to Twin Rivers Unified only.

IT IS SO ORDERED.

Judith Pasewark

Judith Pasewark

Administrative Law Judge

Office of Administrative Hearings