BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

LA MESA-SPRING VALLEY SCHOOL DISTRICT.

OAH CASE NUMBER 2025050128

ORDER DENYING NOTICE OF INSUFFICIENCY AS PREMATURE

MAY 20, 2025

On May 2, 2025, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming La Mesa-Spring Valley School District. On May 6, 2025, Student filed a notice of errata. On May 16, 2025, La Mesa-Spring Valley filed a Notice of Insufficiency as to the corrected complaint.

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).

In this case, however, La Mesa-Spring Valley's notice of insufficiency is premature as the complaint it identifies as insufficient has not been filed yet. Student's notice of errata is not a substitute for a motion to amend the complaint, which is required to change substantive information in the complaint such as the Petitioner's name and Student's address.

La Mesa-Spring Valley's notice of insufficiency is, therefore, denied as premature.

IT IS SO ORDERED.

Jeanie Min

Jeanie Min
Administrative Law Judge
Office of Administrative Hearings