BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LYNWOOD UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025110966

# ORDER DETERMINING DUE PROCESS COMPLAINT PARTIALLY INSUFFICIENT

DECEMBER 4, 2025

On November 20, 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 Lynwood Unified School District. On December 1, 2025, Lynwood Unified 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.)

## DISCUSSION

Student's complaint alleges six issues. Lynwood Unified contends that Student's Issue Two and Four are insufficient.

Lynwood Unified maintains that Student's Issues Two and Four refer to three separate individualized education program, called IEP, team meetings dated January 29, 2024, December 17, 2024, and March 18, 2025. However, Lynwood Unified argues that no IEP team meetings for Student took place on those dates, and Student failed to provide any information in his complaint regarding these IEP team meetings.

A review of the complaint shows that Student discusses facts related IEP team meetings on January 31, 2024, and January 31, 2025. Nowhere in the complaint, except for in Student's Issues Two and Four, does it mention or describe IEP team meetings on January 29, 2024, December 17, 2024, and March 18, 2025. It appears to be in error.

However, if in fact IEP team meetings occurred on these dates, Student failed to provide Lynwood Unified with the required problem description and the facts related to these IEP team meetings. Accordingly, Student failed to state sufficient facts supporting Student's Issues Two and Four. Student's Issues Two and Four are insufficiently pled.

## ORDER

1. Student Issues Two and Four of Student's complaint are insufficiently pled under section title 20 United States Code 1415(c)(2)(D).
2. Student will 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 must be filed not later than 14 days from the

date of this order. The filing of an amended complaint will restart the applicable timelines for a due process hearing.

4. If Student fails to file a timely amended complaint, the due process hearing will proceed only on Student's Issues One, Three, Five, and Six only.

IT IS SO ORDERED.

Cynthia Fritz

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings