BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

CASTRO VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026080024

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

AUGUST 17, 2026

On July 31, 2026, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Castro Valley Unified School District. On August 14, 2026, Castro 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, or FAPE; (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

The facts alleged in Student's complaint are sufficient. Student's complaint identifies the issues and adequate facts about the problems to permit Castro Valley to respond and participate in a resolution session and mediation.

The complaint contains eight detailed claims, alleging that Castro Valley denied Student a FAPE, by

- failing to find her eligible for an individualized education program, or IEP;
- failing to assess her in several specifically-listed areas of suspected disability;
- predetermining the offers of FAPE at specifically-identified IEP meetings on particular dates;
- violating their Child Find obligations during particular time frames;
- failing to offer her appropriate and measurable goals, accommodations, and services in several specifically-listed areas of need;
- denying Parents meaningful parental participation by making specifically-listed statements and/or representations;
- failing to respond to Student's requests during specifically-listed time frames for an IEP team meeting; and
- failing to provide legally compliant Prior Written Notices during specifically listed time frames.

Therefore, Student's statement of the claims is sufficient. Castro Valley's contentions that the claims are not specific enough, concerning for example the content of prior written notices, are not persuasive, as the claims are sufficiently detailed to provide an awareness and understanding of the issues forming the basis of the complaint. Castro Valley also contends that certain of the claims will not be proven, however the merits are to be determined at hearing and not by motion practice.

ORDER

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

IT IS SO ORDERED.

June Lehrman

June Lehrman
Administrative Law Judge
Office of Administrative Hearings