BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

VISTA OAKS CHARTER SCHOOL.

OAH CASE NUMBER 2026021021

ORDER DETERMINING DUE PROCESS COMPLAINT PARTIALLY SUFFICIENT

MARCH 5, 2026

On February 24, 2026, Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Vista Oaks Charter School. On March 2, 2026, Vista Oaks filed a notice of insufficiency as to the 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).

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 Fed. Reg. 46,540-46541, 46699.)

Vista Oaks alleges the complaint does not clearly describe the nature of the problem and does not contain facts related to the problem. Vista Oaks also alleges Student did not include a clear proposed resolution.

Student alleges three problems, or issues, in the complaint. The first two are a list of things Student alleges Vista Oaks failed to do and the third is a request to extend the two-year statute of limitations.

Issue One alleges Vista Oaks failed to appropriately address Student's health needs. Student included a list of alleged failures:

- failing to implement the physician provided seizure action plan(s),
- failing to comply with a corrective action,
- the school nurse failing to provide an appropriate individualized health care plan,
- UPs failing to give seizure rescue medications,
- failing to keep appropriate student records (including seizure and medication administration logs),
- failing to provide a complete individualized education program, or IEP, to Parents following IEP team meetings, and
- failing to have a valid release and consent before contacting providers with attachments including prior written notices and special education evaluations.

Issue Two alleges Vista Oaks failed to appropriately address Student's educational needs. Student included a list of alleged failures:

- failing to maintain accurate records including the California Assessment of Student Performance and Progress, special education evaluations, and the special education information system,
- failing to conduct appropriate evaluations,
- failing to provide the requested records,

- failing to complete an appropriate individual transition plan,
- failing to complete the IEP with fidelity to the discussion and agreements,
- failing to provide accurate present levels and progress reports,
- failing to appropriately consider independent educational evaluations,
- school staff signing in place of parents,
- failing to provide a complete IEP, and
- failing to maintain confidentiality of personally identifiable information.

For both issues one and two the list of failures can reasonably be construed as alleged facts. These facts, while not specific, are sufficient to permit Vista Oaks to respond and participate in a resolution session and mediation. Therefore, Student's Issues One and Two are sufficient.

Student's Issue Three, however, does not provide enough information for Vista Oaks to have an awareness and understanding of the issue. Student's Issue Three requests an extension to the two-year statute of limitations due to specific misrepresentations Vista Oaks made. Specifically, Student alleges Vista Oaks withheld critical information from Parents and the California Department of Education Complaint Resolution Unit investigator and withheld IEP records regarding a compliance complaint investigation. Student also alleges a December 18, 2025, statement from an unidentified person did not resolve missing special education evaluations.

Student does not list any dates in problems one or two to put Vista Oaks on notice of how far beyond the two-year statute of limitations Student is seeking to present claims. Student filed the complaint on February 24, 2026. The two-year statute of limitations extends to February 24, 2024. To the extent Student is attempting to allege issues prior to February 24, 2024, those issues are insufficiently pled. If Student is

attempting to raise issues prior to February 24, 2024, Student may file an amended complaint with dates of alleged FAPE violations prior to February 24, 2024.

Student's proposed resolutions request parent participation in training and updating Student's seizure action plan, as well as an updated IEP and compensatory education. A complaint is required to include proposed resolutions to the problem, to the extent known and available to the party at the time. (20 U.S.C. §1415(b)(7)(A)(ii)(IV).) The proposed resolutions stated in Student's complaint are well-defined. Student has met the statutorily required standard regarding proposed resolutions.

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. Issues One and Two of Student's complaint are sufficient under title 20 United State Code section 1415(b)(7)(A)(ii).
2. Issue Three of Student's complaint is insufficiently pled under title 20 United States Code section 1415(c)(2)(D).
3. Student shall be permitted to file an amended complaint under title 20 United States Code section 1415(c)(2)(E)(i)(II).
4. 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. The filing of an amended complaint will restart the applicable timelines for a due process hearing.

5. If Student fails to file a timely amended complaint, the hearing shall proceed only on Issues One and Two in Student's complaint.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings