BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025100303

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

MARCH 2, 2026

On October 8, 2025, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming San Francisco School District. On February 3, 2026, Student filed a motion to amend the complaint. On February 6, 2026, San Francisco filed a non-opposition to the motion to amend. The order granting motion to amend complaint was issued February 10, 2026. On February 3, 2026, Student filed a first amended complaint for due process and request for mediation. On February 25, 2026, San Francisco filed a Notice of Insufficiency as to issue number one of the amended 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).

The complaint is deemed sufficient unless a party notifies OAH and the other party in writing within 15 days of receiving the complaint that the party believes the complaint has not met the notice requirements. (20 U.S.C. § 1415(c)(2)(C); Ed. Code, § 56502, subd. (d)(1).)

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.) 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 46541, 46699.)

Student's first amended complaint was filed on February 3, 2026. OAH issued the order granting motion to amend complaint on February 10, 2026. San Francisco's NOI was dated, filed with OAH and served on February 25, 2026. San Francisco's NOI was timely filed within.

San Francisco contends that Student's Issue one is insufficiently plead. Student's issue one asserts a FAPE denial commencing August 2023. The issue further identifies six specific contentions regarding the FAPE denial. Student's complaint is sufficiently plead on its face, such that San Francisco is provided with enough information that it has an awareness and understanding of the issues forming the basis of the complaint and can participate in resolution session, mediation, and prepare for hearing. Student's complaint identifies the problem, pleads necessary and detailed facts, and proposes resolutions such that it meets notice requirements. The complaint is sufficient.

San Francisco argues that Student's prehearing conference statement deviates from Issue one in the first amended complaint to such an extent that San Francisco cannot adequately ascertain what alleged violations of the IDEA Student seeks to have OAH address. Student's narrowing of the issues for the purpose of a pre-hearing conference statement is irrelevant to whether the amended complaint is sufficiently plead. Any clarifying questions or objections to the issue framing can be addressed during the prehearing conference.

ORDER

1. The complaint is deemed sufficient under title 20 United States Code section 1415(c)(2)(C) and Education Code section 56502, subdivision (d)(1).
2. All prehearing conference and hearing dates in this matter are confirmed.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (Mar 2, 2026 11:46:08 PST)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings