BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

ROSEDALE UNION SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2025080212

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

AUGUST 11, 2025

On August 1, 2025, Rosedale Union School District, called Rosendale, filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Student. On August 8, 2025, Student filed a timely Notice of Insufficiency as to the complaint. Student contends that the complaint alleges vague language, includes outdated information and omits procedural information. OAH did not receive a response from Rosendale.

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.) 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 contends that Rosendale's complaint was insufficient because the complaint omitted the complete procedural history, any current information, a resolution to the problem, and allegations about the invalidity of Parent's request for an independent educational evaluation, called an IEE. Lastly, Student argues that the complaint failed to allege facts of whether the most recent offer was a free and appropriate public education, called FAPE.

Student's contentions about the veracity and accuracy of the facts in the complaint are issues that will be determined during the due process hearing and not in this Order. The argument that a party did not include allegations about the invalidity of Parent's request for an IEE or did not raise an issue about FAPE are not basis for determining sufficiency. Rather, the standard of determining sufficiency is awareness and an understanding of the issues forming the basis of the complaint.

Here, Rosendale's complaint provides ample information to bring an awareness and understanding of the sole issue forming the basis of the complaint, whether Rosedale's October 14, 2023 multidisciplinary assessment was appropriate, such that Rosedale was not required to fund an IEE in each of the areas assessed . The complaint alleges a timeline of the actions between the parties regarding the assessments and Parents' request for IEEs, a detailed outline about the subcategories of the multidisciplinary assessment report, and a proposed resolution. The complaint is plead so that Student knows how to prepare for the hearing and, if applicable, how to participate in a mediation. Therefore, Rosendale's complaint is sufficiently plead.

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.

Thanayi Lindsey
Thanayi Lindsey (Aug 11, 2025 15:12:29 PDT)

Thanayi Lindsey

Administrative Law Judge

Office of Administrative Hearings