BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025081002

ORDER DETERMINING DUE PROCESS COMPLAINT PARTIALLY SUFFICIENT

SEPTEMBER 9, 2025

On August 21, 2025, Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, called OAH, naming San Ramon Unified School District, called San Ramon. On September 3, 2025, San Ramon filed a notice of insufficiency as to the complaint. San Ramon argues that the complaint is vague and contradictory. It asserts the majority of claims do not identify the specific individualized education program, or IEP being challenged or which services or lack of services Student disagreed. It claims it is impossible to know which IEPs are at issue for each of the identified alleged violations to enable it to prepare a defense.

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, *3 [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, *4

[nonpub. Opn.]; 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 and Preschool Grants for Children with Disabilities* (Aug. 14, 2006) 71 Fed. Reg. 46,540-46541, 46699.)

Student lists three issues in the complaint, one with three sub-issues. Student's Issue 1 of the complaint contends San Ramon denied Student a free and appropriate public education, called FAPE, during the 2023-2024, 2024-2025, and 2025-2026 school years, listing three sub-issues:

- in Issue 1A, failing to offer appropriate services and placement for Student to make educationally related progress;
- in Issue 1B, failing to offer a program that allowed Student to access educationally related mental health services; and
- in Issue 1C, predetermining placement and services.

Student's Issue 1A is insufficient. For the 2024-2025 school year Student alleges approximately six IEPs occurred during this school year in paragraphs 1 through 15. With the exception of the March 21, 2025 IEP, it is impossible to know in which of IEP team meetings referred to during the 2024-2025 school year offers were made which Student is challenging. However, even as to the March 21, 2025 IEP it is unclear which services Student is claiming were inappropriate or missing and why, for each IEP offer of special education and related services. Student should clearly allege in his stated issues which IEP he is challenging by date and separately for each IEP state which services he claims was inappropriate or missing and why. As for the 2023-2024 and 2025-2026 school years, Student does not allege that any IEPs occurred during these two school years so it is unclear which IEP offers Student is challenging in Issue 1A. It is unclear

which services offered for the 2023-2024 school, if any, Student is claiming were inappropriate or missing and why. It is also unclear if Student is also challenging the placement offered during the 2023-2024 school year and why. Student claims he was denied a FAPE in the 2025-2026 school year, but the complaint does not allege that any IEP offer of placement and services was made after March 2025, much less identify the FAPE violations made in any offer regarding the services and placement. Thus, the complaint is confusing and inadequate. In short, San Ramon does not have an awareness and understanding of the issues that are the basis of the claims for the 2023-2024 and 2025-2026 school year. Student's Issue 1A is insufficient as to school years 2023-2024 and 2025-2026. Student should clearly allege in his stated issues which IEP he is challenging by date and separately for each IEP state which services he claims was inappropriate or missing and why.

Issue 1B is also insufficiently pled as to all three school years except as to the March 21, 2025 IEP. In Issue 1B, Student appears to take issue with District's failure to offer mental health services he could access without presenting himself at school. However, as with Issue 1A, Student fails to identify the IEP offers he is challenging, and leaves it for San Ramon to guess. If Student meant to challenge an IEP other than the March 21, 2025 IEP on this basis Issue 1B is insufficient. Student should clearly allege in his stated issues which IEP he is challenging by date and separately for each IEP state which services he claims was inappropriate or missing and why.

Issue 1C is also insufficient as to all three school years except for the March 21, 2025 IEP. In Issue 1C, Student claims that the IEP offer of placement and services was predetermined. Paragraphs 8, 9, 45, 46, and 47 are sufficient to put District on notice that Student is challenging the March 21, 2025 IEP offer on this basis. If Student meant to challenge an IEP other than the March 21, 2025 IEP on this basis Issue 1C is

insufficient. Student should clearly allege in his stated issues which IEP he is challenging by date and separately for each IEP state which services he claims was inappropriate or missing and why.

Student's Issue 2 is insufficient. In Issue 2, Student alleges that San Ramon denied him FAPE by failing to offer an appropriate services and interventions for school avoidance during the 2022-2023 and 2023-2024 school year. However, as with Issue 1A, he fails to allege which specific IEP offer he is challenging during these two school years. Without a clear understanding about the specific IEP dates and the relevant school years, Student's Issue 2 does not give San Ramon an awareness and understanding of the issues that are the basis of Issue 2. As such, San Ramon does not have sufficient facts to participate in a resolution session, mediation or form a defense at hearing. Therefore, Issue 2 is insufficiently pled. Student should clearly allege in his stated issues which IEP he is challenging by date and separately for each IEP state which services he claims was inappropriate or missing and why.

Student's Issue 3 of the complaint alleges that San Ramon denied Student a FAPE by holding an IEP team meeting on November 6, 2024 without Parent. Issue 3 alleges that a program supervisor told Parents that the "team consult" held was not an IEP team meeting, but IEP documents show an IEP agenda was developed. As such, Student's has alleged sufficient information to give San Ramon an awareness and understanding of the basis of the claim asserted in Issue 3. Therefore, Issue 3 is sufficient.

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).) Student's proposed resolutions include placement in a residential program or boarding school with transportation, compensatory education, assessments, and reimbursement.

Student met the statutorily required standard of stating a resolution to the extent known and available at the time the amended complaint was filed.

ORDER

1. Issue 1A of Student's complaint is insufficient for all school years under title 20 United States Code, section 1415(c)(2)(D).
2. Issue 1B of Student's complaint is sufficient for the March 21, 2025 IEP, but is otherwise insufficient for all school years under title 20 United States Code, section 1415(c)(2)(D).
3. Issue 1C is sufficient for the March 21, 2025 IEP but is otherwise insufficient for all school years under title 20 United States Code, section 1415(c)(2)(D).
4. Issue 2 of Student's complaint is insufficient under title 20 United States Code, section 1415(c)(2)(D).
5. Issue 3 of Student's complaint is sufficient under section 20 United States Code, section 1415(c)(2)(D).
6. Student shall be permitted to file an amended complaint under title 20 United States Code section 1415(c)(2)(E)(i)(II).
7. The amended complaint shall comply with the requirements of title 20 U.S.C. section 1415(b)(7)(A)(ii), and shall be filed not later than 14 days from the date of this order.
8. The filing of an amended complaint will restart the applicable timelines for a due process hearing.

9. If Student fails to file a timely amended complaint, the hearing shall proceed only on Issue 1B for the March 21, 2025 IEP, Issue 1C for the March 21, 2025 IEP and Issue 3 in Student's complaint.

IT IS SO ORDERED.

Thanayi Lindsey
Thanayi Lindsey, Sep 9, 2025 16:06:26 PDT

Thanayi Lindsey

Administrative Law Judge

Office of Administrative Hearings