BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

PETALUMA CITY SCHOOLS.

OAH CASE NUMBER 2025060277

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

AUGUST 18, 2025

On August 1, 2025, Student filed a Second Amended Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Petaluma. On August 15, 2025, Petaluma filed a Notice of Insufficiency as to the Second Amended Complaint. As discussed below, the Second Amended Complaint is sufficient.

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 FR 46,540-46541, 46699.)

DISCUSSION

The facts alleged in Student's Second Amended Complaint are sufficient. The Second Amended complaint identifies the issues and adequate facts about the problem

to permit Petaluma to respond and participate in a resolution session and mediation. Therefore, Student's statement of the claims is sufficient.

The sufficiency of Student's claims was the subject of two prior attempted complaints, the original and First Amended complaints filed on June 6, 2025 and July 7, 2025 respectively, and three prior Orders dated June 23, 2025, July 1, 2025 and July 15, 2025 on prior Notices of Insufficiency and a motion for reconsideration. The July 15, 2025 Order made determinations about the sufficiency of Student's claims and ordered this Second Amended Complaint to be filed. The Second Amended Complaint complies with that Order by making revisions, specifically with regard to the school years alleged in Issue Five.

Petaluma now moves again that the Second Amended complaint is still insufficient, but its arguments are not persuasive. Petaluma asks for a level of detail as to the background facts that is not required by the IDEA's liberal pleading requirements. Petaluma also states or re-states arguments about claims that were already identically pled in prior versions of the complaints, and thus implicitly already rejected by the prior Orders in finding those claims sufficient.

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