BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

GLENDALE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025110763

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

DECEMBER 1, 2025

On November 18, 2025, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, called OAH, naming Glendale Unified School District. On November 26, 2025, Glendale 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).

Title 20 United States Code section 1415(k)(3) permits a party to request an expedited hearing for specific reasons. Specifically, an expedited hearing can be requested to appeal a disciplinary change of placement, such as placement in an alternative education setting or a manifestation determination regarding student conduct.

This section requires an expedited hearing start within 20 school days from the hearing request. There is no provision under section 1415(k) to test an expedited complaint's sufficiency. Indeed, there is insufficient time to complete the notice of insufficiency process in expedited hearings.

A complaint is sufficient if it 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, called FAPE; includes facts about the problem; and 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.)

Parent used OAH's form entitled Request for Due Process Hearing and Mediation on Behalf of Student to allege several issues. Student's Problem Number 1 alleges that Glendale racially discriminated against Student since kindergarten and suspended Student multiple times.

Student's Problem Number 2 alleges that Parents were not informed of Student's suspensions, and Glendale refused to hold a meeting to contest those suspensions. Student further alleges in Problem Number 2 that Glendale denied Student a student study team meeting and later held one without notice to Parents.

Student's Problem Number 3 alleges that Glendale failed to hold an IEP team meeting and a 504 Plan meeting pursuant to Parent's request and instead disenrolled Student from Glendale. Student additionally alleges in Problem Number 3 that Glendale failed to give Student his raffle fundraiser prize.

Glendale contends the complaint in its entirety is insufficient because it lacks adequate facts regarding the dates or timeframes of the suspensions, IEP team meeting request, disenrollment, and discriminatory conduct alleged. Glendale contends Student failed to name specific staff who were involved in the alleged discrimination, misconduct, retaliation, or abuse. Further, Glendale contends Student's complaint fails to relate his issues to any specific denial of a FAPE.

Student is in first grade. Student's complaint alleges that the discrimination and suspension issues occurred since his kindergarten year. Student's complaint alleges the IEP team meeting and 504 Plan meeting were requested on November 13, 2025 and Student was disenrolled from Glendale 24 hours after this request.

The complaint provides a timeframe and dates for the issues alleged. Student's complaint is construed as alleging that the problems described therein have denied Student a FAPE, from the beginning of the 2024-2025 school year through the date of the complaint, November 18, 2025.

While Student did not provide names of specific staff involved in the allegations, a sufficient notice pleading does not require such details to be provided. A notice pleading is required to provide Glendale an awareness and understanding of the issues forming the basis of the complaint. The facts alleged in Student's complaint are sufficient.

Student's complaint identifies the issues and adequate facts about the problem to permit Glendale to respond and participate in a resolution session and mediation. Student's complaint also meets the statutorily required standard regarding proposed resolutions.

ORDER

1. The complaint is sufficient under title 20 United States Code section 1415(b)(7)(A)(ii).
2. All expedited mediation, expedited prehearing conference, and expedited hearing dates in this matter are confirmed.
3. All non-expedited mediation, non-expedited prehearing conference, and non-expedited hearing dates in this matter are confirmed.

IT IS SO ORDERED.

Jeanie Min

Jeanie Min
Administrative Law Judge
Office of Administrative Hearings