BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SOUTH PASADENA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026020971

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

MAY 7, 2026

On February 23, 2026, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming South Pasadena Unified School District. On March 3, 2026, South Pasadena filed a notice of insufficiency. On March 9, 2026, OAH determined Student's initial complaint was insufficient, and allowed Student to file an amended complaint.

On March 23, 2026, Student filed a first amended complaint. On April 2, 2026, South Pasadena filed a notice of insufficiency as to the first amended complaint. On April 6, 2026, OAH determined Student's first amended complaint was insufficient, and allowed Student to file a second amended complaint.

On April 20, 2026, Student filed a second amended complaint. On May 5, 2026, South Pasadena filed a notice of insufficiency as to the second 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).

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 46540-46541, 46699.)

South Pasadena contends Issue 1 in Student's complaint is insufficient. South Pasadena did not challenge the sufficiency of Issues 2, 3, and 4.

Student's Issue 1 alleges multiple transportation-related safety incidents occurred between February 9, and February 11, 2026, during Student's pick-up and drop-off times. Student alleges the operative IEP during the 2025-2026 school year offered transportation as a related service. Student argues South Pasadena's alleged failure to address these safety concerns prevented him from going to school, which interrupted Student's access to in-person instruction and related services. Student further contends South Pasadena's alleged delays, inaccurate reporting, and lack of response to Parent's concerns about the transportation incidents prevented Parent from understanding whether transportation services were being implemented in accordance with the safety guidelines set forth in Student's IEP, which impeded Parent's meaningful participation.

South Pasadena argues Student's Issue 1 constitute a general safety concern and fails to specify how any of the grievances alleged were a denial of a FAPE. South Pasadena argues the complaint does not specify which special education requirements under the IDEA or Education Code it allegedly violated. South Pasadena further argues the complaint fails to plead a sufficient causal nexus between the alleged transportation incidents and the denial of educational benefit, and does not allege facts showing educational regression, loss of progress toward IEP goals, or exclusion from the decision-making process.

A sufficient notice pleading does not require such details to be provided. As pled, Student's Issue 1 is sufficient. Issue 1 contains adequate facts about the problem alleged. Student's complaint for Issue 1 satisfies the liberal pleading standard to allow South Pasadena to participate in a resolution session and mediation, and prepare for hearing.

South Pasadena challenges Student's proposed resolutions requests. 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).) The proposed resolutions stated in Student's complaint may not be well-defined. However, Student has met 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 prehearing conference and hearing dates in this matter are confirmed.

Jeanie Min

Jeanie Min
Administrative Law Judge
Office of Administrative Hearings