BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

CHICO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026020005

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

FEBRUARY 18, 2026

On January 30, 2026, Parent filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Chico Unified School District. Parent served the complaint by U.S. mail, and Chico received it on February 5, 2026. On February 18, 2026, Chico filed a Notice of Insufficiency as to the complaint. As discussed below, the complaint is sufficient.

APPLICABLE LAW

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). The complaint is deemed sufficient unless a party notifies OAH and the other party in writing within 15 days of receiving the complaint that the party believes the complaint has not met the notice requirements. (20 U.S.C. § 1415(c)(2)(C); Ed. Code, § 56502, subd. (d)(1).)

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

Chico's Notice was timely filed within 15 days after it received the complaint. However, the facts alleged in Student's complaint are sufficient. The complaint identifies the issues and adequate facts about the problem to permit Chico to respond and participate in a resolution session and mediation.

The complaint alleges that Student, a 15 year old 9th grader, has an individualized education program or IEP, that Chico has failed to implement. Specifically, Chico allegedly did not consistently provide required special education supports or related services, including occupational therapy. The complaint also alleges that "multiple IEP documents exist, but none have been properly finalized and implemented," leaving Student without enforceable services while attending school.

The complaint further alleges that Chico has excluded Parent from meaningful participation in the IEP process by holding or attempting to hold IEP meetings without parental consent and without complete assessment data.

The complaint further alleges that an independent educational evaluation was approved on December 1, 2025, but that Chico has "allowed the IEE process to drag on without completion," and has failed to maintain stay-put services.

The complaint further alleges that as a result, Student has had deteriorating grades and loss of educational benefit.

These allegations are clear and precise. Therefore, Student's statement of the claims is 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