BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LASHON ACADEMY CHARTER SCHOOL AND LOS ANGELES COUNTY CHARTER SELPA.

OAH CASE NUMBER 2025120329

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT AS TO LOS ANGELES COUNTY CHARTER SELPA

DECEMBER 9, 2025

On December 3, 2025, Parent, on behalf of Student filed a Due Process Hearing Request, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Lashone Academy Charter School and Los Angeles County Charter Special Education Local Plan Area or SELPA as respondents. On December 9, 2025, Los Angeles Charter SELPA filed a Notice of Insufficiency as to the complaint.

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).

A party has the right to file a notice asserting a complaint is insufficient within 15 days of receiving a request for due process hearing. (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 Individuals with Disabilities Education Act, or 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.] 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 Fed. Reg. 46541, 46699.)

Student's complaint alleges a single issue, entitled, "Whether Charter's offers of academic services provided petitioner with a free appropriate public education." The first paragraph notes that Lashon Academy would be referred to as "Charter" throughout the complaint. Student noted Los Angeles County Charter SELPA would be referred to as "the SELPA." The single issue alleges no claims against Los Angeles County Charter SELPA or "the SELPA." As a result, Los Angeles County Charter SELPA has no information adequate to allow it to prepare for resolution session, mediation, or hearing.

INDIVIDUAL FILINGS REQUIRED FOR MULTIPLE DOCUMENTS

It is noted that Los Angeles County Charter SELPA filed a document that combined its notice of representation and its Notice of Insufficiency, which is generally not allowed. In this instance, the combined filing was overlooked because the combination of documents did not result in the need to apply different Order deadlines. However, separate documents are required not only because there can be conflicting deadlines that are difficult to apply to a single document. Individual filings are also required because combining different types of filings can result in motions being overlooked. This can result in missed response deadlines. In the future, Los Angeles County Charter SELPA must submit separate documents for each item filed.

ORDER

1. Student's complaint is insufficiently pled under section title 20 United States Code 1415(c)(2)(D) as to Los Angeles County Charter SELPA.

2. Student shall be permitted to file an amended complaint under title 20 United States Code section 1415(c)(2)(E)(i)(II).
3. 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 after the date of this order.
4. If Student fails to file a timely amended complaint, the complaint will be proceed against Lashon Academy Charter school only, on the dates currently scheduled for this case.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings