

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

PALO ALTO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050860

ORDER DETERMINING DUE PROCESS COMPLAINT
SUFFICIENT

JULY 3, 2026

On May 18, 2026, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Palo Alto Unified School District. On June 2, 2026, Palo Alto filed a Notice of Insufficiency as to the complaint.

On June 3, 2026, OAH determined Student's complaint was insufficiently pled. OAH allowed Student an opportunity to amend Student's complaint within 14 days.

On June 16, 2026, Student filed a first amended complaint. On July 1, 2026, Palo Alto timely filed a Notice of Insufficiency as to Student's first amended 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 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.].) 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 46,540-46,541, 46,699.)

DISCUSSION

Following a liberal reading of Student's first amended complaint, Student sufficiently alleges four issues. Student's issues allege:

- Palo Alto's placement offer for the upcoming 2026-2027 school year did not meet Student's needs;
- various procedural defects in the May and June 2026 individualized education program, called IEP, team meetings;
- a material failure to implement Student's one-to-one aide and occupational therapy services during the 2025-2026 school year; and
- a failure to offer adequate special education supports and services in specific areas identified in the first amended complaint, and failing to revise Student's IEP due to lack of expected progress during the applicable statutory period.

Student's first amended complaint identifies the issues and adequate facts about the problem to permit Palo Alto to respond and participate in a resolution session, mediation, and due process hearing.

ORDER

1. The first amended complaint, as described in this Order, is sufficient under title 20 United States Code section 1415(b)(7)(A)(ii).
2. All dates in this matter are confirmed.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi

Administrative Law Judge

Office of Administrative Hearings