

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

WESTERN PLACER UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026070522

ORDER DETERMINING DUE PROCESS COMPLAINT
SUFFICIENT

JULY 20, 2026

On July 8, 2026, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Western Placer Unified School District.

On July 17, 2026, Western Placer timely 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 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. 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

Western Placer argues that Student's Issues 1, 2, and 4, allege claims beyond the two-year statute of limitations applicable to special education claims in California. (*J. R. by and through Perez v. Ventura Unif. Sch. Dist.* (9th Cir. 2026) 173 F.4th 1039, 1046 (*J. R.*) [citing 20 U.S.C. § 1415(f)(3)(C) and Ed. Code, § 56505, subd. (l)].) Western Placer further argues that Student failed to allege any facts that either of the two exceptions to the statute of limitations apply to Student's claims. (20 U.S.C. § 1415(f)(3)(D); Ed. Code, § 56505, subd. (l).) These arguments are not persuasive.

Student does not allege that either of the exceptions apply. Accordingly, Student's complaint is not insufficient on those grounds. Rather, Student's Issue 1 alleges that Parents did not know and had no reason to know that Student's placement was inappropriate as far back as the 2022-2023 school year, such that the statute of limitations was not triggered until Parents discovered Student's claims in September 2025. This is the basis for Student's attempt to toll the statute of limitations and that claim is sufficiently pled.

Western Placer's arguments about the merits of Student's allegations demonstrate its understanding of Student's Issue 1. However, Western Placer's arguments regarding the merits of Student's allegations are not appropriately addressed through a Notice of Insufficiency.

The facts alleged in Student's remaining issues are also sufficient. Issues 2 and 4 allege Western Placer's placement offers beginning in May 2022 were predetermined and failed to educate Student in the least restrictive environment. Student's Issue 3 alleges Western Placer materially failed to implement the portions of Student's

operative IEPs during the 2025-2026 school year which called for Student to be placed in the general education setting.

Overall, Student's complaint identifies four separate issues and adequate facts about each to permit Western Placer to respond and participate in a resolution session and the due process hearing. Student's complaint is sufficient.

ORDER

1. The complaint 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