BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT, ALLIANCE COLLEGE-READY PUBLIC SCHOOLS, AND ALLIANCE MARINE INNOVATION AND TECHNOLOGY CHARTER SCHOOL.

OAH CASE NUMBER 2025100802

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

NOVEMBER 6, 2025

On October 20, 2025, Parents, on behalf of Student, filed a Due Process Hearing Request, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Los Angeles Unified School District, Alliance College Ready Public Schools, and Alliance Marine Innovation and Technology Charter School as respondents. On November 4, 2025, Alliance College-Ready, and Alliance Marine Innovation and Technology filed a Notice of Insufficiency as to the 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 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 with 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.)

Within five days of receipt of a notice of insufficiency, a determination must be made on the face of the notice of whether the complaint meets the requirements of United States Code section 20 section 1415 (b)(7)(A), and shall immediately notify the parties of writing of such determination. (20 U.S.C. § 1415 (c)(2)(D); 34 C.F.R 300.508 (d)(2).)

Alliance College-Ready, and Alliance Marine Innovation and Technology timely filed their notice of insufficiency. Student's complaint is insufficient because it does not clearly state which claims pertain to which respondent for which time periods.

DISCUSSION

Student's complaint alleges that Alliance College-Ready Public Schools operates the Alliance Marine Innovation and Technology charter school. Student's complaint also alleges a memorandum of understanding effective July 1, 2020, between Los Angeles, Alliance College-Ready, and Alliance Marine Innovation and Technology, assigning the responsibility for any relief granted arising from the failure of Alliance College-Ready, and Alliance Marine Innovation and Technology to fulfill special education responsibilities.

Additionally, Student alleges he attended Los Angeles public schools through the end of the 2024-2025 school year and began attending Alliance Marine Innovation and Technology at the beginning of the 2025-2026 school year.

Alliance College-Ready, and Alliance Marine Innovation and Technology, contend that the complaint is vague and confusing in its allegations of joint and several liability

across dates ranges during which, by the complaint's own allegations, Student did not attend an Alliance charter school. Alliance College-Ready, and Alliance Marine Innovation and Technology, also object to Student's failure to specify IDEA or California special education law violations committed by Alliance College-Ready, or Alliance Marine Innovation and Technology.

Alliance College-Ready, and Alliance Marine Innovation and Technology's contentions are well founded. Student asserts one issue against all three respondents jointly, and severally. Student's complaint, paragraph 25, offers the specifics of the sole issue in six subparts. Student does not appear to allege facts asserting joint action on any of the allegations. As the allegation is that all of the respondents engaged in both joint and several action as to each sub issue, this is confusing, and fails to give notice of the specific claims being asserted against Alliance College-Ready, Alliance Marine Innovation and Technology, or Los Angeles. Additionally, the complaint's failure to specify which respondent is being accused of which actions during what time frame renders the complaint, as written insufficient.

Alliance College-Ready, and Alliance Marine Innovation and Technology also contend Student's allegations in subparagraph 25(a) of the complaint are confusing. In this subparagraph, after alleging joint and several liability generally, Student alleges "district personnel" denied meaningful parental participation. Student then alleges "for all time relevant hereto respondents failed and dismissed Student's family's concerns." No additional facts are offered as to when this happened, or who dismissed the family's concerns. Alliance College-Ready, and Alliance Marine Innovation and Technology's contentions that this allegation is unintelligibly vague as to which parties are being accused of what actions is well founded.

Student's single issue complaint with six subparts is insufficiently pled. The complaint fails to provide any of the respondents, notice of the required problem descriptions and facts relating to the problems alleged as to each individual respondent. Student asserts the same unclear allegations as to Los Angeles. As a result, none of the respondents are able to prepare for resolution session, mediation or hearing, rendering the entire complaint insufficient per the requirements of the IDEA. (20 U.S.C. § 1415(b)(7)(A) and (c)(2)(D); 34 C.F.R 300.508 (d) (2).)

ORDER

1. Student's complaint is insufficiently pled under section title 20 United States Code 1415(c)(2)(D).
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 from the date of this order.
4. If Student fails to file a timely amended complaint, the complaint shall be dismissed.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings