BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

VENTURA COUNTY OFFICE OF EDUCATION,

MUPU ELEMENTARY SCHOOL DISTRICT, AND

SANTA PAULA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050451

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

MAY 19, 2026

On May 7, 2026, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Triton Academy, Mupu Elementary School, and Santa Paula High School. Student used OAH's form template and included a one-page attachment explaining the issues alleged. OAH initially deemed the complaint incomplete because Student did not include proof that the named respondents received a copy of the complaint. Student refiled the complaint with a proof of service using OAH's form template, but without the attachment.

On May 14, 2026, the law firm Fagen, Friedman, and Fulfrost, LLP, filed separate notices of representation for Ventura County Office of Education and Santa Paula Unified School District. Fagen represented that Student incorrectly named Triton Academy and Santa Paula High School in the complaint and that Ventura County Office of Education and Santa Paula Unified School District are the correct parties. OAH will correct the named respondents accordingly, and have reflected the correct parties in the caption above.

On May 15, 2026, Santa Paula Unified School District filed a Notice of Insufficiency as to the complaint. Neither Ventura County Office of Education nor Mupu Elementary School District filed a Notice of Insufficiency as of this Order. However, this Order determines the complaint's sufficiency as to all named parties.

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.]; 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.)

Student's complaint alleges one issue. Student asserts Triton Academy and Santa Paula High School are not allowing Student to attend Santa Paula High School next school year. Student's complaint references an attachment for reasons supporting Student's complaint, but as mentioned, no attachment was contained in the filing. Student's complaint seeks attendance at Santa Paula High School as Student's proposed remedy.

Santa Paula's Notice of Insufficiency was supported by a sworn declaration of Marcy Holland Lawrence, Santa Paula Unified School District's special education director, establishing that Student's complaint, served on Santa Paula Unified School District, did not include the attachment referenced in the complaint. The information contained in Student's complaint does not provide Santa Paula or the other named parties with sufficient information describing the problem or facts relating to the problem to enable

them to respond to the complaint, or prepare for mediation or hearing. Accordingly, Student's complaint is insufficient.

Student may file an amended complaint to fix the issues that caused the complaint's insufficiency. Student may use OAH's form template, if desired, but must include all issues and factual allegations in one document, including any attachments. The complaint should indicate when, and which of the named parties offered or refused to offer something related to Student's identification, evaluation, or educational placement, or providing Student a free appropriate public education. Student must send a copy of the complaint and any attachments to the named parties, and file with OAH a proof of service indicating Student sent the complaint to the named parties.

A parent without an attorney may request that OAH provide a mediator to assist the parent in identifying the issues and proposed resolutions that must be included in a complaint. (Ed. Code, § 56505.) Parents are encouraged to contact OAH for assistance if they intend to amend their due process hearing request and need assistance.

ORDER

1. Student's complaint is insufficiently pled under title 20 United States Code section 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 United States Code 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 will be dismissed.

5. All dates previously set in this matter are vacated.

Rita Defilippis

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Administrative Law Judge

Office of Administrative Hearings