BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026030357

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

MARCH 27, 2026

On March 9, 2026, Parents on behalf of Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming San Ramon Valley Unified School District. On March 24, 2026, San Ramon Valley Unified filed a timely 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 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 nine claims, all of which are sufficient. The issues are discussed below.

Issue 1 contends San Ramon Valley Unified failed to offer extended school year services in the May 7, 2025, individualized education program, called IEP. The complaint claims Student required intensive and consistent support in reading and writing, and the May 7, 2025, IEP failed to account for Student's lack of progress and past regression. The complaint alleges enough facts about the problem related to the May 7, 2025, IEP's failure to offer extended school year services to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 1 is sufficient.

Issue 2 contends San Ramon Valley Unified failed to implement the May 7, 2025, IEP. Specifically, the complaint claims San Ramon Valley Unified failed to have a sufficiently trained, and credentialed substitute special education teacher deliver the specialized academic instruction when Student's assigned teacher was absent. A liberal reading of the complaint demonstrates the problem has occurred since Parents' provided written consent to the May 7, 2025, IEP, and during the absence of Student's assigned special education teacher. The complaint alleges enough facts about the implementation of specialized academic instruction by a qualified special education teacher to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 2 is sufficient.

Issue 3 contends San Ramon Valley Unified failed to conduct assessments in occupational therapy, speech and language, and assistive technology. Pages 4 through 7 of the complaint sufficiently describes problems related to the alleged failure to assess in those areas since Student's success team met on February 19, 2025, and agreed to refer Student for a special education assessment. Liberally read, the complaint alleges enough facts about the problem related to the assessments to provide San Ramon

Valley Unified with an awareness and understanding of the problem. Issue 3 is sufficient.

Issue 4 contends San Ramon Valley Unified denied Parents the opportunity to meaningfully participate in the development of the May 7, 2025, IEP. Specifically, the complaint alleges San Ramon Valley Unified's psychoeducational assessment failed to provide Parents with critical information about Student's eligibility for special education services, and the supports, accommodations, and services he needed. The complaint describes enough facts about the psychoeducational assessments alleged failures which impeded Parents' participation in the development of the May 7, 2025, IEP. Thus, the complaint provides San Ramon Valley Unified with an awareness and understanding of the problem. Issue 4 is sufficient.

Issue 5 contends San Ramon Valley Unified predetermined its offer of goals. A liberal reading of the complaint demonstrates Issue 5 involves the goals offered in the May 7, 2025, IEP, the only IEP described in the complaint. Further, paragraphs 68 through 70 of the complaint describes goals in decoding, spelling, writing, and math, which San Ramon Valley Unified allegedly "carried over", and reading intervention goals which were continued, in the May 7, 2025, IEP. The complaint describes enough facts about the alleged predetermination of the May 7, 2025, IEP's academic goals to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 5 is sufficient.

Issue 6 contends the May 7, 2025, IEP lacked specificity in the frequency and amount of minutes of specialized academic instruction to be allocated to address phonemes, writing, spelling, and math. In citing to the Ninth Circuit Court of Appeal's opinion in *Union School District. v. Smith*, the complaint alleges the May 7, 2025, IEP failed to make a specific offer of specialized academic instruction. (*Union School Dis. v.*

Smith (9th Cir. 1994) 15 F.3d 1519, 1526.) The complaint alleges enough facts about the May 7, 2025, IEP's alleged failure to make a specific offer of specialized academic instruction to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 6 is sufficient.

Issue 7 contends San Ramon Valley Unified failed to implement the May 7, 2025, IEP. Specifically, paragraph 81 of the complaint refers to the problem in Issue 6, and describes the IEP's offer of 120 minutes a week of specialized academic instruction. A liberal reading demonstrates the complaint alleges enough facts about San Ramon Valley Unified's alleged failure to implement the May 7, 2025, IEP's specialized academic instruction, to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 7 is sufficient.

Issue 8 contends San Ramon Valley Unified denied Parents the opportunity to meaningfully participate in the development of the May 7, 2025, IEP, by failing to inform Parents of Student's difficulties in adapting to changes in the school setting, resulting in Student becoming anxious. Issue 8 also contends the May 7, 2025, IEP failed to offer a goal to address Student's anxiety at school. The complaint alleges enough facts about San Ramon Valley Unified's alleged failures related to Student's anxiety at school to provide San Ramon Valley Unified with an awareness and understanding of the problem. Issue 8 is sufficient.

Issue 9 contends San Ramon Valley Unified failed its obligation to identify, locate, and evaluate Student for special education services, referred to as child find, during the 2023-2024 and 2024-2025 school years. (20 U.S.C. § 1412(a)(3); 34 C.F.R. § 300.111(a).) Specifically, the complaint claims San Ramon Valley Unified offered Student reading intervention services instead of referring Student for a special education assessment prior to February 19, 2025.

Liberally read, the complaint sufficiently describes facts as to how San Ramon Valley Unified failed its child find obligation during the 2023-2024 and 2024-2025 school years, prior to finding him eligible for special education services at the May 7, 2025, IEP team meeting. The complaint provides San Ramon Valley Unified with an awareness and understanding of the problem. Issue 9 is sufficient.

If the Issues as described in this Order do not reflect Student's intended issues or claims, nothing in this order prevents Student from filing a Motion to Amend and an Amended Complaint.

ORDER

1. The complaint is sufficient under title 20 United States Code section 1415(b)(7)(A)(ii).
2. The prehearing conference and hearing dates in this matter are confirmed.

Rommel P. Cruz

Rommel P. Cruz
Administrative Law Judge
Office of Administrative Hearings