BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

RIVERSIDE UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026020100

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

FEBRUARY 10, 2026

On February 2, 2026, Riverside Unified School District filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, naming Student. The Office of Administrative Hearings is referred to as OAH. Riverside Unified School District is referred to as Riverside Unified. On February 9, 2026, Student filed "Respondents' Objection To Sufficiency Of Petitioner's Due Process Complaint" which is construed as a notice of insufficiency to the complaint.

STUDENT FILED A TIMELY NOTICE OF INSUFFICIENCY.

The complaint is deemed sufficient unless a party notifies OAH and the other party in writing within 15 days of receiving the complaint that the party believes the complaint has not met the notice requirements. (20 U.S.C. § 1415(c)(2)(C); Ed. Code, § 56502, subd. (d)(1).) Student filed a timely notice of insufficiency.

RIVERSIDE UNIFIED'S COMPLAINT IS SUFFICIENT.

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).

Student contends the complaint is insufficient because Riverside Unified failed to:

1. Identify Student's school, the appropriate district, and operative placement;

2. Sufficiently plead facts related to the alleged problem;

3. Sufficiently describe the nature of the problem to be litigated; and

4. Meet the fair notice test.

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.)

Riverside Unified filed a 10-page complaint and alleged one issue: "Whether the offer contained in the January 20, 2026, IEP, constitutes a free appropriate public education ("FAPE") for Student such that it may be implemented by the District as a FAPE?"

1. Student's first contention contains multiple objections. Student argued that Riverside Unified failed to clearly delineate Student's school and mislabels Harrison Elementary School as the school district of residence. Student further contended Riverside Unified failed to clearly set forth the operative placement at issue.

A complaint must include the name of the child, the address of the child's residence, and the name of the school the child is attending. (20 U.S.C. § 1415(b)(7)(A)(ii)(I); 34 C.F.R 300.508(b) (2006).) Here, Riverside Unified listed Washington Elementary School as Student's "School of Attendance" on page one of the complaint, thus satisfying the statute.

While Riverside Unified may have incorrectly listed Harrison Elementary School as the school district of residence on page one of the complaint, the complaint otherwise consistently and correctly identifies Riverside Unified as the petitioner. Riverside Unified is properly listed in the caption, and defined Riverside Unified as "District" in this matter. It referenced Riverside Unified as "District' correctly throughout the body of the complaint, issue, and proposed resolution, except for the single error on page one. Riverside Unified is also expressly identified as Student's resident district on page two of the complaint.

Notably, Student conceded in his moving papers that this error was a mislabeling. The isolated clerical error does not create ambiguity as to the identity of the petitioner. When read as a whole, it is unmistakably clear that Riverside Unified is the petitioner and not an individual school. Student's current school of attendance and the petitioner in this matter are sufficiently clear and with adequate notice to Student as to the petitioner and school of attendance in this matter.

Student additionally argued that Riverside Unified repeatedly alternates between Washington Elementary School and Harrison Elementary School as the relevant placement throughout the complaint such that Student cannot determine what placement decision is actually in dispute. Student's argument fails.

It is clear from the complaint that the operative individualized education program, called IEP, at issue is the January 20, 2026 IEP, as delineated in the issue statement. At this IEP team meeting, as clearly stated in complaint, Student was in a temporary home hospital placement since October 26, 2025. On January 20, 2026, Riverside Unified offered a therapeutic placement at Harrison Elementary School, and Parents disagreed and wanted Student to remain at Washington Elementary School.

Riverside Unified now seeks an order finding the offer in its January 20, 2026 IEP, in its entirety, a FAPE so that it can implement it without parental consent, including the therapeutic placement at Harrison Elementary School. The complaint is written in plain English and simple language. There is nothing ambiguous about the placement dispute described by Riverside Unified in the complaint, the operative placement offer on January 20, 2026, and the proposed resolution. For all of these reasons, Student's school of attendance, petitioner, and operative placement are sufficient such that Student has an awareness and understanding of the issue such that Student can participate in mediation, due process hearing, and defend himself.

2. Student maintained that Riverside Unified failed to plead facts, rather Riverside Unified's complaint is "dominated by characterizations, conclusions, narrative advocacy, including repeated reference to 'dangerous', 'violent', and 'escalated' behaviors."

Riverside Unified set forth a sub-hearing on page seven of the complaint "The January 20, 2026 IEP". Underneath this sub-hearing, on page seven and eight of the complaint, Riverside Unified sets forth detailed facts associated with the placement and service offers to Student at the January 20, 2026, IEP team meeting. The presence of advocacy or conclusory statements does not render a complaint insufficient, where, as here, the complaint includes factual assertions specifically connected to the IEP at issue.

At the sufficiency stage, the complaint need not prove the case or resolve disputed facts; it need only allege facts sufficient to place Student on notice of the nature of the dispute. To the extent that Student disputes the accuracy or characterization of the alleged facts, those issues are properly addressed through evidence at hearing, not through a motion challenging the sufficiency of the complaint.

Here, the complaint provides Student with the required facts related to the problem such that Student has sufficient notice and an awareness of the issue forming the basis of the complaint and can participate in mediation and prepare for hearing. Student asks for a level of detail of facts that is not required by the IDEA's liberal pleading requirements. Thus, the facts related to the alleged problem are sufficient.

3. Student contends that Riverside Unified failed to clearly describe the nature of the problems to be litigated.

Student argues Riverside Unified failed to clearly describe the problem because it included extensive historical facts unrelated to the discrete issue in dispute. Student's argument is unpersuasive. While the complaint provides background information and historical context, it also clearly identified the specific issue to be adjudicated.

The issue expressly identified the IEP offer at issue as the January 20, 2026 IEP offer, and requests a determination that the offer was a FAPE such that it may implement the offer. These allegations are sufficient to describe the nature of the dispute and place the Student on notice of the claim being asserted by Riverside Unified.

At the sufficiency stage, a complaint is not required to be narrowly limited to those facts the opposing party believes are relevant. Any dispute regarding the relevance or weight of the historical facts alleged is a matter for hearing and does not

support a finding of insufficiency. Further, background allegations do not render the complaint insufficient whereas here, the issue and relief sought are clearly stated and the IEP offer and facts related to the IEP offer are clearly delineated in the complaint. For these reasons, the nature of the problem is sufficient.

4. Student argues that the complaint fails the fair notice test.

Student does not describe what this "fair notice test" is. Nevertheless, Riverside Unified's complaint, as already described above, provided an awareness and understanding of the issues forming the basis of the complaint such that it satisfies adequate notice to Student under the IDEA for purposes of sufficiency.

ORDER

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

IT IS SO ORDERED.

Cynthia Fritz

Cynthia Fritz
Administrative Law Judge
Office of Administrative Hearings