BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025120248

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

DECEMBER 15, 2025

On December 3, 2025, Parent, on behalf of Student, filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, called OAH, naming Oakland Unified School District, called Oakland. On December 12, 2025, Oakland 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 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 does not specifically allege any issues. The introduction states the complaint is being brought against Oakland, and a specific employee of Oakland, for Oakland's "omission, failure, neglect, and in willful and wanton disregard to

adequately accommodate special needs student [Student] after California public schools transitioned to remote instruction in March 2020 due to the Covid-19 Pandemic distance learning and school closures policy and thus, denied [Student] a FAPE (Free & Appropriate Public Education) pursuant to the Individuals with Disabilities in Education Act (IDEA), 20 U.S.C. § 1400 et eq." The complaint then devotes 16 pages of narrative about events from March 2020 through November 3, 2022. These events are outside the two-year statute of limitations under the IDEA. Because Student did not allege an exception to the statute of limitations, the ALJ interprets this narrative for the purpose of background.

On pages 17 and 18 of the complaint, Student includes two paragraphs explaining that on October 16, 2024, Parent requested compensatory education for the time period of school closures, and stating that on November 3, 2025, an employee of Oakland demonstrated "gross neglect" in response to Parent's request.

The complaint concludes with a "Prayer for Relief," requesting compensatory education related to the pandemic school closures in 2020 through 2022.

Student's complaint fails to meet the minimal pleading standards under the IDEA. The complaint does not allege any issues. It is almost entirely devoted to a recitation of historical events outside the two-year statute of limitations. It appears to be a general demand for a remedy for events that occurred outside the statute of limitations. As such, the complaint is insufficiently pled.

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.) Parent is encouraged to contact OAH for assistance if they intend to amend their due process hearing request.

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.

IT IS SO ORDERED.

Cararea Lucier

Cararea Lucier
Administrative Law Judge
Office of Administrative Hearings