BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SOUTH PASADENA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026020971

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

APRIL 6, 2026

On February 23, 2026, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming South Pasadena Unified School District.

On March 3, 2026, South Pasadena filed a notice of insufficiency. OAH determined Student's initial complaint was insufficient on March 9, 2026. That Order allowed Student to file an amended complaint.

On March 22, 2026, Student filed a document entitled in relevant part "OAH Addendum." This document was a copy of an email and contained two separate parts, Student's "addendum" to his due process complaint, and a separate uniform complaint.

As explained below, Student's "addendum" is considered Student's first amended complaint. The uniform complaint is not addressed in this Order.

On April 2, 2026, South Pasadena filed a Notice of Insufficiency as to Student's first amended complaint. Student filed a response on April 3, 2026.

APPLICABLE LAW

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.].) 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 46540-46541, 46699.)

DISCUSSION

Student's first amended complaint attempts to correct the insufficiencies OAH found in Student's initial complaint. However, it is not proper procedure for a party to file an "addendum" to "clarify and supplement" the initial complaint, because an amended complaint replaces any earlier filed complaints.

The United States Supreme Court recently observed that, "[i]f a plaintiff amends her complaint, the new pleading 'supersedes' the old one: The 'original pleading no longer performs any function in the case.'" (*Royal Canin U.S.A., Inc. v. Wullschleger* (2025) 604 U.S. 22, 35; 145 S.Ct. 41, 52 [internal citations omitted].) The Court continued, "changes in parties, or changes in claims, effectively remake the suit." (*Id.*) Accordingly, Student's initial complaint no longer has any effect on the current matter and Student's March 22, 2026, filing is Student's only complaint.

Student's operative first amended complaint does not allege specifically identified issues. Rather, Student's first amended complaint vaguely alleges, as bulleted

lists, various conclusory statements and sentence fragments related to Student's transportation and safety. However, Student's complaint does not provide clarity as to which individualized education programs are at issue, what school years are at issue, or other information which OAH previously determined was required but not pled.

The bulk of the first amended complaint details Student's requested remedies. While this information is a necessary component of a due process filing, this additional information does not render Student's first amended complaint sufficient. Accordingly, Student's first amended complaint is insufficiently pled.

Student may file a second amended complaint. If Student does so, Student should consider filing a complaint that includes all claims he wishes to bring in one single document. As explained above, an amended complaint replaces any previously filed complaints. Student should consider listing each claim he wishes to bring in a separate section, with facts relevant to that particular claim, and proposed resolutions related to that claim, to facilitate the parties' understanding of Student's claims and relief sought.

OAH has previously notified Parent that 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 first amended complaint is insufficiently pled under section title 20 United States Code 1415(c)(2)(D).

2. Student shall be permitted to file a second amended complaint under title 20 United States Code section 1415(c)(2)(E)(i)(II).
3. The second 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 second amended complaint, the complaint will be dismissed.
5. All dates previously set in this matter are vacated.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi
Administrative Law Judge
Office of Administrative Hearings