BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

VENTURA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026010058

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

JANUARY 23, 2026

On January 4, 2026, Parents on behalf of Student, filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, called OAH, naming Ventura Unified School District. Ventura Unified School District is called Ventura.

Student's complaint alleges the sole issue of did Ventura deny him a free and appropriate public education, called FAPE, by relying on California's health immunization requirement to exclude Student from entering Foothill Technology High School to be observed by his independent evaluator to complete a psychoeducational independent educational evaluation. Student's proposed resolution was to be granted access to a

general education classroom at Foothill Technology High School for the evaluator for a classroom observation.

On January 16, 2026, Ventura filed a notice of insufficiency to challenge the sole issue and proposed resolution. Ventura's motion included the procedural history that included Parents' two civil cases filed in the United States District, Central District and the Ninth Circuit Courts against Ventura in which both courts denied Student's injunctive relief for in person return to Foothill Technology High School because of California's mandatory immunization requirement. Ventura argues this case is an extension of the civil federal challenges and this OAH complaint falls outside of OAH's jurisdiction; that this complaint is an attempt to circumvent the two higher courts' decisions to deny the injunction; and that the complaint is unintelligible and lacks foundational facts. Ventura further argues that the proposed resolution attempts to circumvent the two higher court's denials for injunctive relief and seeks Student's return to a Ventura school campus.

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 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; includes facts about the problem; and 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.)

A complaint is required to include proposed resolutions to the problem, to the extent known and available to the party at the time. (20 U.S.C. §1415(b)(7)(A)(ii)(IV).)

Here, the facts in Student's complaint are sufficient. Student's complaint identifies the issue, supports the issue with facts about the problem to permit Ventura to respond and participate in a resolution session and mediation and to prepare for hearing.

Ventura seeks to determine through the notice of insufficiency whether OAH has jurisdiction over this claim and whether Student can prevail on said claims. Whether Student can prevail on the claim presented requires a hearing resulting in factual

findings and legal analysis. A notice of insufficiency is not meant to determine jurisdiction or Student's ability to prevail. Instead, this motion only determines Student provided a local educational agency sufficient information to defend itself. Student has met the threshold standard of awareness and understanding of the issues. The manner in which Ventura outlined its motion expressed an awareness and understanding of the FAPE issue before OAH. The proposed resolution stated in Student's complaint is well-defined and has met the statutorily required standard of stating a resolution to the extent known and available to him at the time. Overall, Student's complaint and proposed resolution are determined to be sufficient.

ORDER

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

Thanayi Lindsey
Thanayi Lindsey (Jan 23, 2026 13:21:42 PST)

Thanayi Lindsey
Administrative Law Judge
Office of Administrative Hearings