BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

MURRIETA VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026010896

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

FEBRUARY 9, 2026

On January 27, 2026, Parent, on behalf of Student, filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Murrieta Valley Unified School District, as respondent. On February 5, 2026, Murrieta Valley filed a Notice of Insufficiency as to the complaint. On February 9, 2026, Student responded to Murrieta Valley's insufficiency notice.

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 party has the right to file a notice asserting a complaint is insufficient within 15 days of receiving a request for due process hearing. (20 U.S.C. § 1415 (c)(2)(C); Ed. Code § 56502, subd. ((d)(1).) 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 Individuals with Disabilities Education Act, or 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.] 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 Fed. Reg. 46541, 46699.)

Within five days of receipt of a notice of insufficiency, a determination must be made on the face of the notice of whether the complaint meets the requirements of 20 United States Code, section 1415 (b)(7)(A), and shall immediately notify the parties in writing of such determination. (20 U.S.C. § 1415 (c)(2)(D); 34 C.F.R 300.508 (d) (2).)

COMPLAINT PARTIALLY INSUFFICIENT

Student's complaint designates four "claims for relief" some of which are sufficient and some which are insufficient. The first claim for relief is entitled "Violation of IDEA and related California Law against District." This claim has three bold-faced type subheadings: "Parent Participation"; "Loss of Opportunity – Deprivation of Benefits"; and "Failure to Implement. The problem is the subheadings are unclear as to the intended allegations. For instance, it is unclear whether the "Parent Participation" allegation also seeks to allege goal and assessment issues. The "Loss of Opportunity-Deprivation of Benefits" section is entirely unclear as to the specific IDEA violations being alleged. The "Material Failure to Implement" allegation is also unclear. While it specifies a failure to implement three IEPs, May 16, 2024 as amended on June 24, 2024, it confuses the issue interpretation by then saying the IEP was not implemented from August 7, 2024. That confusion could be clarified by identifying the elements of the IEPs that were not implemented, e.g. services, accommodations, placement and by identifying the date of each IEP or IEP amendment, Student contends was not materially implemented.

While various facts are pled throughout the 37 page complaint, it is not Murrietta Valley's obligation to guess which facts are being pled in support of which claims alleged. Nor is it the undersigned's job to piece together vague and isolated phrases throughout the complaint to create a claim on Student's behalf. (see, *E.M. v. Pajaro Valley Unified School District,* (9th Cir. 2011) 652 F. 3d. 999, 1010-1011, (dis.opn. of Bea.)

The claims alleged in Student's first claim for relief failed to give Murrietta Valley sufficient notice of the claims against it for Murrieta Valley to sufficiently prepare for resolution session, mediation or hearing.

Student also alleged claims for relief alleging violations of section 504 of the Rehabilitation Act of 1973; violations of the Americans with Disabilities Act; and violations of section 1983 of title 42 of the United States Code against an individual. No ruling is made in this order regarding whether these claims fall under OAH jurisdiction as such a ruling is not part of a determination of sufficiency. Nothing prevents Murrieta Valley from filing any other motion it deems meritorious.

ORDER

1. Student's complaint, as to the IDEA and California special Education law violations, is insufficiently pled under section 1415(c)(2)(D), title 20, United States Code.
2. Student's other claims are not subject to a sufficiency evaluation as they do not allege IDEA or California special education violations.
3. Student shall be permitted to file an amended complaint under section 1415(c)(2)(E)(i)(II), title 20 United States Code.
4. The amended complaint shall comply with the requirements section 1415(b)(7)(A)(ii), title 20 United States Code, and shall be filed not later than 14 days from the date of this order.

5. If Student fails to file a timely amended complaint, the complaint will be dismissed.
6. All dates previously set in this matter are vacated.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings