BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

DUARTE UNIFIED SCHOOL DISTRICT AND

CALIFORNIA SCHOOL OF THE ARTS, SAN GABRIEL VALLEY.

OAH CASE NUMBER 2025090888

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

OCTOBER 13, 2025

On September 24, 2025, Student filed a Due Process Hearing Request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Duarte Unified School District and California School of the Arts, San Gabriel Valley, as respondents. On October 9, 2025, San Gabriel filed a Notice of Insufficiency as to the complaint.

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).

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).)

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.)

DISCUSSION

The facts alleged against San Gabriel in Student's complaint are sufficient. Student's complaint alleges three issues regarding Student's IEP and assessments for the 2025-2026 school year. The issues generally allege that Student's triennial assessments were due and not conducted, and that Student requires academic remediation and extended school year services that were not offered.

Student's complaint identifies the issues and adequate facts about the problem to permit San Gabriel to respond and participate in a resolution session and mediation. Therefore, Student's statement of the claims against San Gabrel is sufficient.

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).) The proposed resolutions stated in Student's complaint as to San Gabriel are sufficient. Student seeks reimbursement for any educational expenses incurred by Parents during the 2025 extended school year and 2025-2026 regular school year; compensatory education, accessible during school hours; and independent evaluations in the areas of neuropsychological functioning, occupational therapy, educationally related mental health services, academics, and assistive technology.

San Gabriel objects to the request for educational expenses and compensatory services on the grounds that it lacks specificity. This objection is not persuasive, as Student is required to include proposed resolutions only to the extent known at the time of pleading.

San Gabriel also objects to the resolutions sought on other grounds, like that there is no factual basis to establish San Gabriel's denial of FAPE, there is no nexus between the alleged violations and remedies sought, the request seeks enforcement of another LEA's obligations, and the request poses a potential conflict with San Gabriel policies. These objections are more appropriately raised as defenses to Student's claims and not grounds for a finding of insufficiency. Student has met the statutorily required standard regarding proposed resolutions.

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.

Claire Yazigi

Claire Yazigi
Administrative Law Judge
Office of Administrative Hearings