BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

HUNTINGTON BEACH CITY SCHOOL DISTRICT.

OAH CASE NUMBER 2026051113

ORDER DETERMINING DUE PROCESS COMPLAINT INSUFFICIENT

JUNE 1, 2026

On May 27, 2026, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, called OAH, naming Huntington Beach City School District. On June 1, 2026, Huntington Beach City 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, called FAPE; (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).) A FAPE means special education and related services that are available to an eligible child that meets state educational standards at no charge to the parent or guardian. (20 U.S.C. § 1401(9); 34 C.F.R. § 300.17.) 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 alleges a single issue: that Huntington Beach City denied Student a FAPE by failing to convene a resolution session within fifteen days after he filed a complaint in OAH Case Number 2026031081 on March 24, 2026.

Huntington Beach City contends that Students complaint does not describe a problem relating to Student's identification, educational placement, or the provision of a FAPE, as a resolution session is a prehearing dispute resolution mechanism. Huntington Beach City argues that the remedy for such a procedural violation is for Student to seek the intervention of an administrative law judge to begin the due process timeline in OAH Case Number 2026031081, not to file a new complaint. Huntington Beach City further challenges the proposed resolutions, arguing they bear no connection to the issue.

Student's complaint is insufficient. The complaint does not describe how the failure to hold a resolution session relates to a proposed change regarding Student's identification, evaluation, or educational placement, or the provision of special education and related services to Student or allege any issues regarding such. The complaint fails to provide Huntington Beach City with the required problem description and the facts relating to the problem. The alleged failure to hold a resolution session in OAH Case Number 2026031081 should be addressed through the proper channels in that matter. (34 C.F.R. § 300.510(b)(5) (2007); Ed. Code § 56501.5(e)(2).)

Student's proposed resolutions request a finding that Huntington Beach City denied Student a FAPE, an order to Huntington Beach City to reimburse Parents for educational expenses and provide compensatory education to Student, and any further relief the administrative law judge may deem just and equitable. 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

resolution stated is not well-defined. However, Student has met the statutorily required standard of stating a resolution to the extent known and available to him at the time.

ORDER

1. Student's complaint is insufficiently pled under section title 20 United States Code 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 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 amended complaint, the complaint will be dismissed.
5. All dates previously set in this matter are vacated.

Jeanie Min

Jeanie Min
Administrative Law Judge
Office of Administrative Hearings