BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026030599

ORDER DETERMINING DUE PROCESS COMPLAINT SUFFICIENT

APRIL 1, 2026

On March 12, 2026, Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, referred to as OAH, naming Los Angeles Unified School District. On March 27, 2026, Los Angeles Unified 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; (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.)

Student's complaint alleges five issues and proposed resolutions as well as a relevant educational history section. Los Angeles Unified argues Student's complaint is insufficient because it is so broad, vague, and conflicting it does not put Los Angeles

Unified on notice of the actual issues. Los Angeles Unified asks that Student's entire complaint be deemed insufficient but only makes an argument about Student's Issue 1 and proposed resolution for Issue 1. Los Angeles Unified included Student's Issue 2 and proposed resolution for Issue 2 in the section heading but did not include any argument about Student's Issue 2. Therefore, this Order is limited to Student's Issue 1.

Student's Issue 1 alleges:

> "School personnel misrepresented the law when they withheld necessary information that a student, to be evaluated when exited from special education. And, again, when it withheld necessary information that parent request for evaluation had to be put in writing then purported to be authorized to unilaterally decide that Student would not be evaluated without a basis to do so and withholding that the District was required to provide parent a [prior written notice] documenting its refusal to evaluate based on data."

Student's proposed resolution to Issue 1 asks that the statute of limitations be tolled back to January 2019.

Although there are multiple typographical errors in Student's complaint, the facts alleged are sufficient to put Los Angeles Unified on notice of the issues and to permit Los Angeles Unified to participate in a resolution session and mediation. Student includes significant historical facts regarding Student's educational history including his initial eligibility for special education, subsequent exit from special education, his struggles as a general education student, and his eventual return to special education. Student includes facts that allege Parents requested an individualized education program for Student in October 2024 and Los Angeles Unified failed to assist Parent to

put the request in writing and failed to provide any type of notice regarding Los Angeles Unified's refusal to assess Student.

Student's proposed resolutions request tolling of the statute of limitations, reimbursement, and an independent educational evaluation. 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 meet 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 prehearing conference and hearing dates in this matter are confirmed.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings