BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

PETALUMA CITY SCHOOLS.

OAH CASE NUMBER 2025060277

ORDER GRANTING IN PART STUDENT'S MOTION FOR RECONSIDERATION AND CORRECTING THE JUNE 23, 2025 ORDER DETERMINING DUE PROCESS COMPLAINT PARTIALLY SUFFICIENT

JULY 2, 2025

On June 23, 2025, the undersigned Administrative Law Judge, called ALJ, issued an Order Determining Due Process Complaint Partially Sufficient, referred to as the June 23, 2025 Order. The ALJ analyzed Student's due process hearing request, called a complaint, and determined the claims occurring from June 6, 2023, through June 6, 2025, in Issues 1, 3a, 3b, 3e, 4, 5, and 7 of Student's complaint were sufficiently plead. Petaluma City School did not challenge the sufficiency of the complaint as to Issue 6.

The ALJ's analysis determined Issues 2, 3c, and 3d, of Student's complaint, and claims occurring prior to June 6, 2023, were insufficiently plead. However, the order section of the June 23, 2025 Order erroneously listed Issue 4 as insufficiently plead.

On June 30, 2025, Parents on behalf of Student filed a motion for reconsideration of the June 23, 2025 Order. Student seeks reconsideration of the Order deeming Issues 2, 3c, and 3d, and claims occurring prior to June 6, 2023, as insufficiently plead. Student also seeks reconsideration of the order listing Issue 4 as insufficiently plead. Petaluma filed an opposition to the motion on July 1, 2025.

The Office of Administrative Hearings, called OAH, will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time, generally within ten days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

To the extent Student's motion for reconsideration seeks correction of the error listing Issue 4 as insufficiently plead in the June 23, 2025 Order, the motion for reconsideration is granted in part for that reason. However, Student's motion fails to demonstrate new or different facts, circumstances, or law justifying reconsideration of the ALJ's findings and orders determining the complaint's Issues 2, 3c, and 3d, and claims occurring prior to June 6, 2023, insufficiently plead. Therefore, the motion for reconsideration is denied for that reason.

The June 23, 2025 Order is corrected to list Issue 4 as sufficiently plead for claims occurring from June 6, 2023, through June 6, 2025. The June 23, 2025 Order is further

corrected to order the hearing to proceed only on Issues 1, 3a, 3b, 3e, 4, 5, 6, and 7 in Student's complaint for claims occurring from June 6, 2023, through June 6, 2025, if Student fails to file a timely amended complaint. All other orders in the June 23, 2025 Order remain in full force and effect.

IT IS SO ORDERED.

Rommel P. Cruz

Rommel P. Cruz

Administrative Law Judge

Office of Administrative Hearings