BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

MILL VALLEY SCHOOL DISTRICT.

OAH CASE NUMBER 2025040955

# ORDER DENYING REQUEST FOR RECONSIDERATION OF THE APRIL 29, 2025 ORDER DETERMINING DUE PROCESS COMPLAINT PARTIALLY SUFFICIENT

MAY 13, 2025

On April 29, 2025, the undersigned Administrative Law Judge, called ALJ, issued an order determining Student's due process hearing request partially sufficient, referred to as the April 29, 2025 Order. A due process hearing request is called a complaint.

On May 7, 2025, Parents on behalf of Student filed a Motion to Vacate Order Determining Due Process Complaint Partially Sufficient and Notice of Insufficiency. Student's moves to vacate the April 29, 2025 Order because Student contends the undersigned ALJ relied solely on the representations made by Mill Valley Unified in its Notice of Insufficiency in determining Student's complaint partially sufficient. The Office

of Administrative Hearings, called OAH, considers Student's motion as a motion for reconsideration of the April 29, 2025 Order. On May 7, 2025, Mill Valley Unified filed an opposition to the motion for reconsideration.

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.)

Student failed to establish the April 29, 2025 Order should be reconsidered. In determining Student's complaint partially sufficient, the April 29, 2025 Order was not limited to considering only the assertations made by Mills Valley Unified in its Notice of Insufficiency. Instead, the April 29, 2025 Order considered and discussed the entire complaint filed by Student on April 21, 2025, including the 32-page Statement of Facts, and the supporting documents identified as Exhibits A through G.

Student failed to offer any new or different facts, circumstances, or law to support reconsideration of the April 29, 2025 Order. Accordingly, the motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

*Rommel P. Cruz*

Rommel P. Cruz
Administrative Law Judge
Office of Administrative Hearings