BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

EXCEL ACADEMY CHARTER SCHOOL,

and

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2024120715

OAH CASE NUMBER 2025020977

ORDER DENYING REQUEST FOR RECONSIDERATION

MARCH 14, 2025

On March 5, 2025, the undersigned Administrative Law Judge issued an order granting the motion to consolidate Students' and Excel Academy Charter's Cases. The order designated District's case as the primary case and vacated the dates in Student's case.

On March 13, 2025, Student filed a motion for reconsideration. Student contended the ALJ erroneously vacated the hearing dates in Student's case because the parties must engage in a mandatory resolution session during the first 30 days after the February 27, 2025, filing date. The Office of Administrative Hearings did not receive a response from Excel Academy Charter for Student's motion for reconsideration.

The Office of Administrative Hearings 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.)

On March 13, 2025, the parties also filed a joint request for mediation and continuance of the due process hearing, which was granted. The parties agreed to waive the resolution session in order to mediate. Since the parties waived resolution session, there are no new or different facts, circumstances, or law justifying reconsideration. Reconsideration is moot.

The motion for reconsideration is denied.

IT IS SO ORDERED.

Thanayi Lindsey
Thanayi Lindsey (Mar 14, 2025 10:17 PDT)

Thanayi Lindsey
Administrative Law Judge
Office of Administrative Hearings