BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ORCUTT UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2025060356

ORDER GRANTING REQUEST FOR RECONSIDERATION AND DENYING MOTION FOR STAY-PUT

AUGUST 20, 2025

On August 13, 2025, the undersigned Administrative Law Judge issued an Order Denying Student's Motion for Stay-Put. On August 18, 2025, Student filed a Motion for Reconsideration. On August 20, 2025, Orcutt Union School District filed an opposition.

APPLICABLE LAW

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.)

DISCUSSION

Student offers new facts and circumstances to support reconsideration of the undersigned ALJ's August 13, 2025, order denying Student's request for stay-put. Specifically, Student asserts the June 17, 2025, IEP upon which the undersigned ALJ found Parent agreed to a placement other than stay-put for the 2025-2026 school year, was not informed consent because Parent was not specifically aware of Orcutt's changes to its offer of placement for the 2025-2026 school year. Instead, Student asserts that Parent signed, believing that the only change to the June 17, 2025, amendment was correction of the May 23, 2025, addendum IEP end dates for Student's placement during his suspension. Student speculates that the June 17, 2025, IEP amendment listing Santa Maria-Bonita as the servicing district a mistake, or a typographical because Santa Maria-Bonita only has full inclusion special education services, and does not have special day class junior high school special education placements, as required by the June 17, 2025, addendum IEP, the offer was illusory. However, Orcutt opposed reconsideration of the undersigned ALJ's August 13, 2025, order denying Student's motion for stay-put, which specifically found Student's June 17, 2025, addendum IEP, the agreed upon placement for the 2025-2026 school year. Again, though this may present complicated legal issues between Santa Maria-Bonita and Orcutt, the June 17, 2025, addendum IEP is clear regarding Student's placement and services.

ORDER

Student's request for reconsideration is granted. The undersigned ALJ has considered Student's new information. Upon reconsideration, Student's request to grant his motion for stay-put is denied. Parent's failure to read the entire June 17, 2025, amendment IEP, does not invalidate Parent's consent to its contents. Student was represented by counsel at the time of Parent's consent. Accordingly, the undersigned ALJ's August 13, 2025, order denying Student's motion for stay-put is affirmed.

IT IS SO ORDERED.

Rita Defilippis

Rita Defilippis
Administrative Law Judge
Office of Administrative Hearings