BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ADELANTO ELEMENTARY SCHOOL DISTRICT, DESERT MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA, AND DESERT MOUNTAIN CHILDREN'S CENTER.

OAH CASE NUMBER 2025060065

ORDER DENYING REQUEST FOR RECONSIDERATION

DECEMBER 1, 2025

On November 26, 2025, the undersigned Administrative Law Judge issued an order following the November 24, 2025 prehearing conference, granting the Respondents' motion to dismiss for failure to attend a resolution session, and denying Student's motions to continue as moot. On November 25, 2025, following the prehearing conference, but before the Office of Administrative Hearings, called OAH, issued its written order, Student filed a motion for reconsideration, seeking to reopen Student's case.

OAH did not receive a response from the Respondents.

APPLICABLE LAW

The 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.)

DISCUSSION

While Student filed his motion within a reasonable time after the initial Order was issued, Student offers no new facts, circumstances, or law to support reconsideration. Student raised the arguments and facts included in Student's motion during the prehearing conference, called a PHC. The Administrative Law Judge, called an ALJ, considered these during the PHC and when issuing the November 26, 2025 Order.

Student argued that his Parents should be excused from attending a resolution session due to ongoing health issues and eventual death of his grandfather. Student argued that Respondents had a duty to inform OAH of these facts, though Student had already done so. As explained in OAH's November 26, 2025 Order, even if the Respondents had a duty to inform OAH of Student's grandfather's continued medical condition or death, that does little to support Student's position. Student failed to prove that grandfather's medical condition was a valid excuse for Student's parents to not participate in a resolution session. Accordingly, the Respondents' alleged failure to inform OAH of grandfather's condition on Student's behalf is inconsequential.

Student also asserted that OAH did not "review" several of Student's pending motions. Student does not specifically identify any motion or motions he believes have not been adjudicated. Rather, Student asserts a general list of motion types Student believes have not been decided.

OAH has ruled on all pending motions. As explained in OAH's November 26, 2025 Order, Student had two pending continuance requests, which were denied as moot following OAH's granting of the Respondents' motion to dismiss. Parents have also been given additional time to attend a resolution session, though the legal framework calls for dismissal for failure to attend. (34 C.F.R. §300.510(b)(4).) OAH has provided Parents with special assistance regarding grandfather's medical issues. Overall, Student did not establish that November 26, 2025 Order should be reconsidered.

ORDER

1. Student did not establish that the November 26, 2025 Order should be reconsidered.
2. The November 26, 2025 Order is confirmed.
3. Student's complaint in this matter remains dismissed without prejudice.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi
Administrative Law Judge
Office of Administrative Hearings