BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026060029

ORDER DENYING REQUEST FOR RECONSIDERATION

AUGUST 3, 2026

On July 10, 2026, the undersigned Administrative Law Judge issued an Order Dismissing Case for Failure to Prosecute and Denying Motion to Continue as Moot. On July 27, 2026, Parent on behalf of Student filed an Emergency Motion to Reconsider and Vacate the July 10, 2026, dismissal. The Office of Administrative Hearings did not receive a response from Long Beach Unified School District, called Long Beach. The Office of Administrative Hearings is called OAH.

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

The motion for reconsideration was filed 17 days after the initial Order was issued. Student did not file the motion for reconsideration within a reasonable period of time. Further, Student offers no new facts, circumstances or law to support reconsideration. Student argues that the Order dismissing the case should be reconsidered and vacated for three reasons. First, Student argues that Parent's failure to attend the July 6, 2026, prehearing conference was a result of a good-faith misunderstanding induced by Long Beach that Long Beach's counsel would coordinate dates for mediation. Parent argues that she was led to believe that Long Beach was communicating with OAH regarding scheduling arrangements. Parent argues that as a self-represented parent, she relied on Long Beach.

Second, Parent argues that she did not attend the prehearing conference due to a lack of practical notice and systemic failure by OAH. Parent received the Zoom invitation the afternoon of July 3, 2026, for the July 6, 2026, prehearing conference. Parent argues that the Zoom invitation sent on July 3, 2026, failed to provide adequate notice or reasonable business hours to process. Parent further argues that due to the rapid timeline and lack of notice she was unaware of the pending Order to Show Cause until after the deadline to respond.

Finally, Parent argues immediate, irreparable educational harm to Student will result if the order dismissing is not vacated because Student is on an administrative

waitlist and separated from his sibling due to a District enrollment glitch. Parent argues that requiring Student to refile will prevent Student from starting high school at his designated school.

Student has not offered any new facts, circumstances or law to support reconsideration. The OAH Scheduling Order for this matter included the date and time for the prehearing conference, called a PHC, and was served on the parties on June 1, 2026. Parent had sufficient notice of the PHC. In her argument, Parent mistakenly places the blame for her nonattendance at the PHC and nonresponse to the Order to Show Cause on Long Beach and OAH. Student filed the complaint and had a duty to prosecute the case which includes Student's representative appearing at the PHC and timely responding to the Order to Show Cause. Parent, as Student's representative, was responsible for following OAH's orders and making all required appearances. Parent was advised that failure to do so may result in Student's complaint being dismissed. Nothing in this Order or dismissal order prevents Student from filing a new case. Should Student elect that option, Student will be required to diligently follow all OAH orders, including scheduling orders.

ORDER

Student has not established the July 10, 2026, Order should be reconsidered. The motion for reconsideration is denied.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (Aug 3, 2026 14:14:12 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings