

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

UNION SCHOOL DISTRICT.
OAH CASE NUMBER 2026060619

ORDER DENYING REQUEST FOR RECONSIDERATION OF
ORDER DENYING MOTION FOR PROTECTIVE ORDER

AUGUST 20, 2026

On August 14, 2026, the undersigned Administrative Law Judge issued an order denying Student's request for a protective order regarding an order to subpoenaed entities to produce records in response to Union School District's subpoenas duces tecum. Student requested that

- subpoenaed entities be ordered to redact portions of records that are outside of the scope of the subpoenas duces tecum;
- prior to the production of records to Union, each subpoenaed entity first provide Parent with the proposed records to be produced for Parent to review; and

- if Parent identifies information she deems outside of the scope of the subpoenas duces tecum, the entity be ordered to produce the records to OAH for an in-camera review before disclosure to Union.

Student's requests for production of any responsive records directly to Parent and an order to subpoenaed entities for redaction were wholly denied. Any request stipulating production of records to either party was denied. All responsive records were ordered to be produced consistent with the instructions provided in OAH's subpoenas form, which was set forth, in part, in the August 14, 2026 Order Denying Motion for Protective Order. In short, an entity or person receiving a subpoena duces tecum, which also must be filed with OAH, will be sent an invitation to upload records pursuant to the subpoena, to OAH's electronic evidence system. The Administrative Law Judge will review the records to determine relevancy and whether such records will be provided to the parties for use in the hearing. After the parties' review of the records, a party then determines which records it will use for evidence at hearing.

On August 17, 2026, Student filed a motion entitled Petitioner's Emergency Motion for Immediate Protective Order, Stay of Production, and In Camera Review. Student contends the Administrative Law Judge did not rule upon Student's original request that, if Parent is not allowed a pre-production review of the records to determine relevancy, each subpoenaed entity must submit "mixed or uncertain" record confidentially to OAH for in camera review before disclosure to Union. Student's motion will be construed as a request for reconsideration of the August 14, 2026 Order Denying Motion for Protective Order regarding this specific request. Student's second motion seeks the same relief as the original motion and is taken to be a motion for reconsideration of the Administrative Law Judge's prior order.

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.)

Here, Student's motion for reconsideration was timely filed. However, Student has not presented new facts, circumstances, or law justifying reconsideration. The IDEA does not allow a party to dictate the redaction of information in subpoenaed documents prior to their production, let alone prior to a review of the documents by an Administrative Law Judge. Whether subpoenaed documents will be released to the subpoenaing party or be required to be redacted, is a matter within the purview of the Administrative Law Judge presiding over the hearing. Student presents no law dictating otherwise. All responsive records were ordered to be produced to OAH.

Student has not established that the August 14, 2026 Order Denying Motion for Protective Order should be reconsidered. The motion for reconsideration is denied. The August 14, 2026 Order Denying Motion for Protective Order is affirmed.

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Jeanie Min".

Jeanie Min

Administrative Law Judge

Office of Administrative Hearings