BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT AND MORENO VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025110486

ORDER GRANTING REQUEST FOR RECONSIDERATION AND UPON RECONSIDERATION GRANTING MOTION TO AMEND

DECEMBER 2, 2025

On November 21, 2025, the undersigned Administrative Law Judge issued an order denying Student's motion to amend the complaint to add Moreno Valley Unified School District, called Moreno Valley, as a party.

On November 24, 2025, Student filed a motion for reconsideration and motion to correct clerical error. Student served Moreno Valley and Los Angeles Unified School

District, called Los Angeles with the motion for reconsideration. OAH did not receive a response from either Moreno Valley or Los Angeles.

The Office of Administrative Hearings, called 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, 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.)

The Individuals with Disabilities Education Act, called IDEA, and California Education Code require that either party must provide the due process complaint notice to the other party. (20 U.S.C. § 1415(b)(7)(A); Ed. Code, § 56502, subd. (c)(1).) A party "may not have a due process hearing until the party, or the attorney representing the party, files a notice." (20 U.S.C. § 1415(b)(7)(B).)

Both the IDEA and the Education Code further specify that when a complaint is amended, "the applicable timeline for a due process hearing . . . shall recommence at the time the party files an amended notice. . . ." (20 U.S.C. § 1415(c)(2)(E)(ii); Ed. Code, § 56502, subd. (e).)

Student offers new facts to support reconsideration. Specifically, Student established that it named Moreno Valley in the body of the complaint, and that its failure to name Moreno Valley in the case caption was a clerical error.

ORDER

On reconsideration, Student's motion to amend the complaint is granted. The first amended complaint Student filed on November 24, 2025, is the operative complaint and shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates only as to Moreno Valley Unified School District. Los Angeles Unified School District is no longer a party to the case.

IT IS SO ORDERED.

Jennifer Kelly

Jennifer Kelly
Administrative Law Judge
Office of Administrative Hearings