BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

BERKELEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024120465

ORDER DENYING REQUEST FOR RECONSIDERATION

MARCH 3, 2025

On February 21, 2025, the undersigned Administrative Law Judge issued an order granting Berkeley Unified School District's motion to dismiss Student's Issue One. On February 25, 2025, Student filed a motion for reconsideration. On February 28, 2025, Berkeley Unified 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.)

Student's motion attempts to substantively address the grounds for dismissal of Student's Issue One as set forth in the February 21, 2025, order, but offers no new facts, circumstances or law to support reconsideration of the order.

ORDER

Student has not established the February 21, 2025, order should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed. Nothing in this order shall prevent Student from seeking to file an Amended Complaint.

IT IS SO ORDERED.

Claire Yazigi

Claire Yazigi
Administrative Law Judge
Office of Administrative Hearings