BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

ANAHEIM UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2020020250

ORDER DENYING REQUEST FOR RECONSIDERATION

MARCH 18, 2020

On March 10, 2020, the undersigned Administrative Law Judge issued an order granting Anaheim Union High School District's motion to dismiss Student's complaint. On March 11, 2020, Parent, on behalf of Student, filed a motion to vacate default judgement, which is deemed a motion for reconsideration. The Office of Administrative Hearings did not receive a response from Anaheim Union.

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

Parent's Motion does not raise new facts, circumstances or law to support reconsideration. Parent asserts that the dismissal should be reversed because the undersigned ALJ misunderstood Student's theory of the case in the underlying complaint. However, Parent offered no new facts or law that supported reconsideration of the Order, which granted dismissal because OAH had no jurisdiction over the claims in the complaint.

ORDER

Student has not established the March 10, 2020, Order granting Anaheim Union's motion to dismiss should be reconsidered. The motion for reconsideration is denied. The Order of Dismissal is confirmed.

IT IS SO ORDERED.

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Cararea Lucier
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Cararea Lucier

Administrative Law Judge

Office of Administrative Hearings