BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:

PARENT ON BEHALF OF STUDENT,

v.

TORRANCE UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2019020666

and

TORRANCE UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2019110449

ORDER DENYING REQUEST FOR RECONSIDERATION

On July 18, 2019, the undersigned Administrative Law Judge issued an order denying Student's motion to amend his complaint. Torrance Unified School District filed a non-opposition to that motion. On July 24, 2019, the parties filed a joint motion for reconsideration of the order denying Student's motion to amend.

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

Student and Torrance offer no new facts, circumstances or law. Student and Torrance did not submit declarations as to new facts or circumstances, and cite the same law previously cited in the motion to amend. For these reasons, there is no basis for reconsideration of the July 18, 2019 order.

To the extent Student and Torrance contend that the undersigned ALJ misapplied the law concerning leave to amend, that is not a basis for reconsideration, but for seeking review, if and to the extent available.

The hearing in these consolidated matters is scheduled to begin in just over six days, on dates chosen by the parties and granted at their request on May 13, 2019. As stated in the order denying Student's motion for leave to amend, these consolidated matters have been pending since November 2018 and February 2019, on alleged violations arising as early as December 2016. If and to the extent new claims arose between the parties at an IEP team meeting on May 22, 2019, either party may file a new request for due process on those claims.

Accordingly, the joint motion for reconsideration is denied.

IT IS SO ORDERED.

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Alexa Hohensee
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DATED: July 24, 2019

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings