BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: SWEETWATER UNION HIGH SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH CASE NO. 2013030139 ORDER DENYING REQUEST FOR RECONSIDERATION

On March 1, 2013, Sweetwater Union High School District (District) filed a Due Process Hearing Request (complaint) naming Student as the respondent. On March 8, 2013, Student filed a Notice of Insufficiency (NOI) as to the complaint. On March 11, 2013, the undersigned administrative law judge (ALJ) issued an order finding that District's complaint was sufficient. On March 13, 2013, Student filed a motion for reconsideration.

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. (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 AND ORDER

Student alleges no new facts, circumstances, or law in support of the request reconsideration. Student argues that the ALJ misapplied the law pertaining to the sufficiency of complaints, such that the legal standard for sufficiency should be applied liberally to Student-filed complaints, but more strictly to complaints filed by Districts. No such distinction however, appears in the statutory language pertaining to the sufficiency of complaints.

The facts alleged in District's complaint are sufficient to put Student on notice of the issues forming the basis of the complaint. Therefore the motion for reconsideration is denied.

IT IS SO ORDERED.

Dated: March 15, 2013

/s/

JUNE R. LEHRMAN
Administrative Law Judge
Office of Administrative Hearings