BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

WALNUT CREEK SCHOOL DISTRICT.

OAH CASE NUMBER 2024030643

ORDER DENYING REQUEST FOR RECONSIDERATION

APRIL 8, 2024

On April 3, 2024, the undersigned Administrative Law Judge issued an order finding Student's due process complaint partially sufficient and partially insufficient. On April 8, 2024, Student filed a request for reconsideration.

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 time, generally within 10 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 claims OAH should not have ruled on Walnut Creek's notice of insufficiency because he was not given three business days to respond to the notice of insufficiency. While OAH generally permits parties three business days to respond to motions, notices of insufficiency are an exception. Therefore, no response to Walnut Creek's notice of insufficiency was expected from Student. Further, Student offers no new facts, circumstances, or law to support reconsideration.

Student has not established the April 3, 2024 Order should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Jennifer Kelly

Jennifer Kelly
Administrative Law Judge
Office of Administrative Hearings