BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LA MESA-SPRING VALLEY SCHOOL DISTRICT.

OAH CASE NUMBER 2024020642

ORDER DENYING REQUEST FOR RECONSIDERATION

JULY 11, 2024

On July 8, 2024 at the prehearing conference, and by written Order issued July 9, 2024, the undersigned Administrative Law Judge granted Student's motion to continue and continued the hearing for two weeks. On July 9, 2024, La Mesa-Spring Valley School District, called La Mesa, filed a motion for reconsideration. The Office of Administrative Hearings did not receive a response from Student.

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 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.)

La Mesa's motion for reconsideration alleges no new facts, circumstances, or law in support of the request reconsideration, other than an unsupported argument that it will be inconvenient for La Mesa to reschedule witnesses. The motion repeats the same arguments La Mesa made at the prehearing conference, essentially that Student misstated facts in the original motion, changed the basis for seeking a continuance at the prehearing conference, and failed to demonstrate good cause for a two-week continuance.

The information contained in La Mesa's motion for reconsideration is not new, was considered in the original ruling, and does not support a request for reconsideration.

To the extent La Mesa contends that the undersigned ALJ misapplied the law concerning the continuance of a due process hearing, that is not a basis for reconsideration, but for seeking review if and to the extent available.

For the reasons stated above, La Meas's motion for reconsideration is denied.

IT IS SO ORDERED.

Alexa Hohensee

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings