BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. DAVIS JOINT UNIFIED SCHOOL DISTRICT AND WINTERS JOINT UNIFIED SCHOOL DISTRICT.	OAH Case No. 2015080259 ORDER DENYING REQUEST FOR RECONSIDERATION

On September 9, 2015, the undersigned administrative law judge issued an order denying Student's request for pendency placement, also known as "stay put." On September 16, 2015, Parent filed a request for reconsideration on behalf of Student. As of this date, neither school district has filed an opposition to this request.

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, and has provided no factual basis for granting a stay put placement.

The request is not accompanied by a sworn declaration on behalf of Student to allege the existence of an implemented individualized education program on which to base a determination of stay put.

Accordingly, Student's request for reconsideration is denied.

IT IS SO ORDERED.

DATE: September 17, 2015

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings