BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SALINAS UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2023020749

ORDER DENYING REQUEST FOR RECONSIDERATION

MARCH 20, 2023

On March 10, 2023, the undersigned Administrative Law Judge, called an ALJ, issued an order finding Student's due process hearing request, called a complaint, sufficiently pleaded. On May 17, 2023, Salinas Union High School District filed a motion for consideration of that ruling on its notice of insufficiency.

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 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.)

Salinas Union offers no new facts, circumstances, or law to support reconsideration. Instead, it argues that the ALJ incorrectly read the facts and issues alleged in the complaint and made unreasonable inferences in finding the complaint sufficiently pleaded.

The facts alleged in the complaint were considered in the original ruling, are not new, and do not support a request for reconsideration.

To the extent Salinas Union contends that the undersigned ALJ misunderstood the facts and issues alleged in the complaint or misapplied the law concerning the sufficiency of a complaint, that is not a basis for reconsideration, but for seeking review, if and to the extent available.

The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Alexa Hohensee

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings