BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: ANAHEIM CITY SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017010041 ORDER DENYING MOTION FOR RECONSIDERATION.

On December 28, 2016, District filed a Request for Due Process Hearing with the Office of Administrative Hearings naming Student. District seeks to have Student assessed without Parent's consent and without the limitations or conditions placed on the assessment by Parent.

On March 24, 2017, the undersigned administrative law judge issued an order denying Student's motion to dismiss and motion for summary judgment on the grounds that Student sought a ruling on the merits. On March 29, 2017, Student filed a motion for reconsideration. Student argues her motion was wrongly decided and the Office of Civil Rights should be handling the dispute. No opposition was filed by District.

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.)

Here, Student alleges no new or different facts, circumstances, or law justifying reconsideration. Accordingly, Student's motion is denied.

IT IS SO ORDERED.

DATE: April 5, 2017

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LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings