BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SONOMA VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019101000

ORDER DENYING REQUEST FOR RECONSIDERATION

On January 8, 2020, the undersigned Administrative Law Judge issued an order denying Sonoma Valley Unified School District's motion to bifurcate the due process hearing in this matter. On January 15, 2020, Sonoma Valley filed a motion for reconsideration. The Office of Administrative Hearings did not receive a response from Student.

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, 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.)

DISCUSSION

Sonoma Valley's motion for reconsideration alleges no new facts, circumstances, or law in support of the request. It repeats the same arguments made in Sonoma Valley's original motion and reply. Sonoma Valley's contention that Student misstated facts in his opposition was considered in the original ruling, is not new, and does not support a request for reconsideration.

To the extent Sonoma Valley contends the undersigned ALJ misunderstood the arguments or misapplied the law, that is not a basis for reconsideration, but for seeking review if and to the extent available.

For the reasons stated above, Sonoma Valley's motion for reconsideration is denied.

IT IS SO ORDERED.

DocuSigned by:
Alexa Hohensee
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DATED: January 17, 2020

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings