BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. SKY MOUNTAIN CHARTER SCHOOL AND INNOVATIVE EDUCATION MANAGEMENT, INC.	OAH Case No. 2018110130 ORDER DENYING REQUESTS FOR RECONSIDERATION REGARDING ORDERS DENYING STAY PUT AND CONSOLIDATION

On November 6, 2014, the undersigned administrative law judge issued an order denying Student's Request for Stay Put on the grounds that no dispute as to Student's placement exists. On November 7, 2018, the undersigned issued an order denying Student's request to consolidate his case with Sky Mountain Charter and Innovative Education Management Inc's request for mediation only as a request for mediation does not involve a request for due process hearing and therefore cannot be consolidated.

On November 13, 2018, Student filed two additional motions, both entitled, "Motion for Emergency Stay Put-Notice of Errata". Also on November 13, 2018, Student filed a second "Motion for Consolidation." None of these three motions acknowledged that orders on these matters had previously been issued. All three motions are being considered to be motions for reconsideration on behalf of 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. (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

Reconsideration

Student alleges no new facts, circumstances, or law in support of these requests for reconsideration. Nor is either the motion for Stay Put or the motion to consolidate accompanied by a sworn declaration by Student explaining the basis for the duplicative

motions. Accordingly, Student's motion for reconsideration of the previous order denying Stay Put is DENIED. Student's motion for reconsideration of the previous order denying consolidation is also DENIED.

IT IS SO ORDERED.

DATE: November 16, 2018

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Penelope S. Pahl
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PENELOPE S. PAHL
Administrative Law Judge
Office of Administrative Hearings