BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2016070867
v.	ORDER DENYING REQUEST FOR RECONSIDERATION
OAK GROVE SCHOOL DISTRICT.	

On July 27, 2016, the Office of Administrative Hearings granted Oak Grove School District's motion to dismiss claims alleged in Student's due process hearing request that arose more than two years prior to the filing of the complaint. The ALJ found that the alleged claims were barred by the two-year statute of limitations.

On July 29, 2016, District filed a request for "correction" of the July 27, 2016 order granting District's motion. The request for "correction" was, essentially, a motion for reconsideration and was denied by OAH order dated August 1, 2016.

On August 4, 2016, District filed a motion for reconsideration of the August 1, 2016 order, which is essentially a restatement of the argument contained in District's prior motion for "correction."

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

District alleges no new facts, circumstances, or law in support of the motion for reconsideration of the August 1, 2016 order. In fact, District directs OAH to its original motion of July 27, 2016 as the basis for the instant motion. Accordingly, District's request for reconsideration is denied.

If, or to the extent, Student asserts claims dismissed by the July 27, 2016 order, District may raise an appropriate objection at the time any dismissed claims are asserted.

IT IS SO ORDERED.

DATE: August 5, 2016

DocuSigned by:
Alexa Hohensee
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ALEXA J. HOHENSEE
Administrative Law Judge
Office of Administrative Hearings