

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

FRESNO UNIFIED SCHOOL DISTRICT.

OAH Case No. 2015070319

ORDER DENYING REQUEST FOR
RECONSIDERATION

On July 13, 2015, the undersigned administrative law judge issued an order finding that eight of ten issues in Student's complaint were insufficient and giving Student 14 days to file an amended complaint. On July 15, 2015, Student filed a letter and opposition to Fresno's Notice of Insufficiency, which is a request for reconsideration on behalf of the July 13, 2015 order.

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 AND ORDER

On July 8, 2015, Fresno filed a Notice of Insufficiency as to Issues One, Three, Four, Five, Six, Seven, Eight, Nine, and 10 of Student's complaint.

On July 10, 2015, Student filed an opposition to Fresno's motion to dismiss and strike, which included an opposition to the NOI. In the July 10, 2015 opposition, Student made the same arguments as he did in the July 15, 2015 letter and opposition to the NOI.

Therefore, Student alleges no new facts, circumstances, or law in support of the request reconsideration.

Accordingly, Student's request for reconsideration is Denied.

IT IS SO ORDERED.

DATE: July 17, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings