

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021100706

ORDER DENYING REQUEST FOR RECONSIDERATION

NOVEMBER 3, 2021

On November 1, 2021, the undersigned Administrative Law Judge issued an order granting Student's motion for stay put. On November 2, 2021, Los Angeles Unified School District filed a motion for reconsideration on the grounds that its opposition to Student's notice of intent to reply to Los Angeles' opposition to the stay put motion was not considered; that Student's request for stay put should not have been granted because Los Angeles agreed that the June 4, 2021 IEP constitutes stay put; and that a new fact pertaining to implementation of IEP services came to Los Angeles' attention on November 1, 2021. On November 3, 2021, Student filed an opposition to Los Angeles' motion for reconsideration.

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.)

Los Angeles offers no relevant new facts or circumstances, or new law, to justify reconsideration of the stay put order. Therefore, Los Angeles has not established the November 1, 2021 order granting stay put should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Penelope S. Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings