

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

SCOTTS VALLEY UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026060399

ORDER DENYING REQUEST FOR RECONSIDERATION

JULY 20, 2026

On June 19, 2026, the undersigned Administrative Law Judge issued an Order Denying Motion for Stay Put. On July 20, 2026, Student filed a Request for Reconsideration of Stay Put Determination and for Temporary Home-Based Educational Services Or, In the Alternative, Other Safe Interim Educational Services. On July 20, 2026, Scotts Valley Unified School District filed an opposition contending Student's request for reconsideration is untimely and raises no new facts, circumstances, or law justifying 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.)

DISCUSSION

Student's request for reconsideration was filed over a month after the undersigned ALJ's order denying Student's request for stay put and is thus untimely. However, even if timely filed, the information serving as the basis to challenge the undersigned ALJ's order finding that Elevations is Student's stay put placement, was readily available to Student at the time of Student's initial request for stay put. Lastly, even if Student established a basis for reconsideration, the information supporting Student's claim that Elevations was not a comparable placement to Lava Academy, and thus cannot be Student's stay put placement, was insufficient and unpersuasive to establish the programs as not comparable for the purpose of stay put.

ORDER

Student has not established the Order should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Rita Defilippis

Rita Defilippis

Administrative Law Judge

Office of Administrative Hearings