BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

V.

LONG BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022020609

ORDER DENYING REQUEST FOR RECONSIDERATION

JULY 8, 2022

On June 29, 2022, the undersigned Administrative Law Judge issued an order denying Student's motion to compel the production of production of progress reports for 2020, 2021, and 2022, or state that the reports do not exist. On June 30, 2022, Student filed a motion for reconsideration. The Office of Administrative Hearings, called OAH, did not receive a response from Long Beach Unified School District, called Long Beach.

APPLICABLE LAW

OAH 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

The motion was filed within a reasonable time after the initial order was issued. However, Student did not allege any new facts, circumstances, or law to support reconsideration. Student stated in the reconsideration motion that Long Beach did not identify, or resend, what it believed were the progress reports for 2020, 2021, and 2022, sent in response to Student's educational records request during the June 24, 2022 meet and confer. Student reiterated the same arguments based on the same facts and law that OAH considered and denied in its June 29, 2022 order.

Accordingly, Student's request for reconsideration is denied.

IT IS SO ORDERED.

Sabrina Kong

Sabrina Kong
Administrative Law Judge
Office of Administrative Hearings