BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT, CITIZENS OF THE WORLD CHARTER SCHOOL.	OAH Case No. 2018040779 ORDER DENYING REQUEST FOR RECONSIDERATION

Student filed a complaint on April 18, 2018 naming Los Angeles Unified School District and Citizens of the World Charter School. Student filed a Motion to Amend the Complaint on May 30, 2018, the proposed amended complaint included new and different claims and named Ocean Charter School.

On June 4, 2018, the parties named above participated in a prehearing conference. Ocean Charter School did not appear at the PHC. Thereafter, the undersigned administrative law judge issued an Order Following Prehearing Conference and Denying Motion to Amend after reviewing the moving papers and hearing oral argument from the parties on the record during the prehearing conference.[1] On June 15, 2018, Student filed a motion for reconsideration. OAH has not received an opposition to the motion.

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.)

[1] A declaration filed by Student's counsel in support of the Motion for Reconsideration states that Ocean Charter School participated in the PHC on the basis that the attorney representing Citizen's of the World in this case works at the same firm as an attorney that had represented Ocean Charter in other matters in the past.

DISCUSSION

Reconsideration

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

Student presents no new facts or circumstances. Student argues the inability "to pursue her claims against [Citizens] and Ocean" results in prejudice. Student made these arguments in her moving papers and on the record at the PHC. Student's motion to amend was denied without prejudice to timely file a motion to amend to allege additional facts or claims against the named respondents. Nothing prevents Student from pursuing claims against Citizens and Ocean. Nothing prevents Student from filing a complaint against Los Angeles, Ocean, or both, alleging claims that arose when Student left Citizens and began attending Ocean.

Student presents no new law. Student continues to argue that one hearing as to all potential claims would be in the interests of justice and allow the efficient use of resources and time to resolve all Student's claims in one hearing. While these factors are often cited on the issue of consolidating cases that have already been filed, Student provides no new law which prevents the ALJ from exercising discretion in denying Student's motion to amend.

Accordingly, Student's motion for reconsideration is denied.

ORDER

Motion for Reconsideration is denied.

IT IS SO ORDERED.

DATE: July 2, 2018

DocuSigned by:

COLE DALTON
Administrative Law Judge
Office of Administrative Hearings