BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. KERN COUNTY SUPERINTENDENT OF SCHOOLS, VALLEY OAKS CHARTER SCHOOL TEHACHAPI.	OAH Case No. 2018070796 ORDER DENYING REQUEST FOR RECONSIDERATION

On September 6, 2018, Administrative Law Judge Cole Dalton issued an order denying Kern County Superintendent of Schools-Valley Oaks Charter School Tehachapi's motion to dismiss. On September 19, 2018, Kern County filed a renewed motion to dismiss which the Office of Administrative Hearings deemed a request for reconsideration. On September 21, 2018, Student filed 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.)

DISCUSSION

Not only does Kern County allege no new facts, circumstances, or law in support of the request reconsideration, the request is not timely because it was not received within ten days after issuance of the order. Accordingly, Kern County's request for reconsideration is denied.

ORDER

Motion for Reconsideration is Denied.

DATE: September 21, 2018

DocuSigned by:
Linda Johnson
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LINDA JOHNSON
Administrative Law Judge
Office of Administrative Hearings