

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT; PASADENA UNIFIED  
SCHOOL DISTRICT

OAH CASE NO. 2009121064

ORDER DENYING REQUEST FOR  
RECONSIDERATION

On January 11, 2010, the undersigned administrative law judge issued an order finding that Student's complaint was sufficient and denying Pasadena Unified School District's (PUSD) Notice of Insufficiency. On January 20, 2010, PUSD filed a Request for Clarification of Order Re: Determination of Sufficiency of Due Process Complaint. PUSD's Request for Clarification was deemed a Motion for Reconsideration and was denied on procedural grounds by the undersigned administrative law judge on January 26, 2010. PUSD re-filed its Motion for Reconsideration on January 26, 2010. For the reasons discussed below, the Motion is denied.

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 AND ORDER

PUSD's Motion for Reconsideration asks for clarification of the issues, alleging that the Complaint fails to allege facts sufficient to support the issues raised as they apply to PUSD. PUSD does not offer any new facts, law, or circumstances justifying reconsideration of the prior Order, which found that the Complaint sufficient under 20 USC § 1415(b) &(c). As noted in the original Order, the issues raised in Student's complaint are adequately supported by factual allegations and proposed resolutions. Accordingly, the Motion for Reconsideration is denied.

IT IS SO ORDERED.

Dated: January 28, 2010

/s/

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ADRIENNE L. KRIKORIAN  
Administrative Law Judge  
Office of Administrative Hearings