

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY OFFICE OF
EDUCATION

OAH CASE NO. 2011020692

ORDER DENYING REQUEST FOR
RECONSIDERATION

On March 17, 2011, the undersigned administrative law judge issued an order denying Los Angeles County Office of Education's (LACOE's) Motion to Add a Party. On March 21, 2011, LACOE filed a motion for reconsideration. No opposition was filed.

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.)

LACOE contends that reconsideration is warranted because it has now demonstrated that it served its Motion to Add a Party on the Compton Unified School District (District).

LACOE's Motion to Add a Party was denied because it failed to serve District and because adding District as a party on LACOE's motion is not authorized under the IDEA. Although LACOE has now served District, this does not cure the defect that respondent agencies are generally not authorized under the IDEA to join other agencies. It is up to Student to amend the complaint to add the appropriate local education agency if Student so desires. Failing to join District does not deprive LACOE of the defense that it is not the LEA required to provide a FAPE. Accordingly, LACOE's request for reconsideration is Denied.

IT IS SO ORDERED.

Dated: April 01, 2011

CLARA SLIFKIN
Administrative Law Judge
Office of Administrative Hearings