

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

EL DORADO UNION HIGH SCHOOL
DISTRICT.

OAH CASE NO. 2011110251

ORDER DENYING REQUEST FOR
RECONSIDERATION

On November 15, 2011, the undersigned administrative law judge issued an order denying Student's motion to dismiss the Due Process Request (complaint) filed by the District. On November 18, 2011, Student filed a pleading entitled "Appeal to Motion to Dismiss," which essentially requests the undersigned administrative law judge to reconsider his November 15, 2011 order. Accordingly, Student's pleading is deemed a motion for reconsideration. Student's reconsideration motion merely repeats the same factual arguments as were alleged in his original motion to dismiss.

APPLICABLE LAW AND DISCUSSION

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.)

Student alleges no new facts, circumstances, or law in support of his request for reconsideration. The reconsideration motion restates the original motion to dismiss. Since Student has failed to offer no new facts, circumstances, or law justifying reconsideration, Student's motion is DENIED.

IT IS SO ORDERED.

Dated: November 18, 2011

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings