

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OCEANSIDE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011120626

ORDER DENYING REQUEST FOR
RECONSIDERATION

On January 20, 2012 the undersigned administrative law judge issued an order denying District's motion to dismiss Student's complaint. On January 31, 2012, District's attorney filed a motion for reconsideration. On February 2, 2012, Student's attorney filed an opposition to District's motion for reconsideration.

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.)

District's motion is accompanied by a sworn declaration reiterating facts that arose before District' original motion was filed. District's current motion renews its argument that OAH has no jurisdiction to hear the claims raised in Student's complaint because they were resolved in and barred by a final settlement agreement between the parties.

District's motion for reconsideration adds no new facts or law justifying reconsideration of the January 20, 2012 order. Accordingly, District's request for reconsideration is denied. All dates shall remain as scheduled unless otherwise ordered.

IT IS SO ORDERED.

Dated: February 3, 2012

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings