BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. COLTON JOINT UNIFIED SCHOOL DISTRICT.	OAH Case No. 2015090427 ORDER GRANTING REQUEST FOR RECONSIDERATION; VACATING HEARING DATES OF MARCH 29 AND 30, 2016

On March 4, 2016, legal counsel for Colton Joint Unified School District made an oral motion for a continuance at the prehearing conference, claiming the unavailability of District personnel and counsel at various times during March 2016. District filed a written motion two days later, at 10:00 p.m., with the Office of Administrative Hearings. On March 8, 2016, Student opposed the request based upon the lateness of District's request and failure to establish good cause to continue this hearing for six weeks.

On March 9, 2016, the undersigned administrative law judge issued an order that granted in part District's continuance request and set the matter for hearing on March 29 and 30, 2016, and April 5, 6 and 7, 2016. On March 10, 2016, District filed a request for reconsideration as District will be on break from March 21, 2016 through April 1, 2014.

APPLICABLE LAW

OAH 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

Reconsideration is appropriate as the information provided in District's March 7, 2016 continuance request did state that District would be on break from March 21, 2016 through April 1, 2014, and that District witnesses had informed District's legal counsel of plans to be out of town during this period. Therefore, reconsideration is granted and the

hearing dates of March 29 and 30, 2016, are vacated. The hearing will commence on April 5, 2016, at 9:30 a.m., and the parties are ordered to meet and confer as to other available hearing dates to present to the Administrative Law Judge at the commencement of the hearing.

IT IS SO ORDERED.

DATE: March 10, 2016

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Peter Paul Castillo
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PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings