BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT, MARIPOSA COUNTY OFFICE OF EDUCATION, STANISLAUS COUNTY OFFICE OF EDUCATION, RIPON UNIFIED SCHOOL DISTRICT, AND SAN JOAQUIN COUNTY OFFICE OF EDUCATION.	OAH Case No. 2014100503 ORDER GRANTING REQUEST FOR RECONSIDERATION; SETTING PREHEARING CONFERENCE AND HEARING DATES

On November 24, 2014 the undersigned administrative law judge issued an order, finding good cause and, continuing the due process hearing dates in this matter as requested by the San Joaquin County Office of Education, through its attorney, Rodney L. Levin. On November 25, 2014, Daniel R. Shaw, filed a motion for reconsideration on behalf of Student.

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

While the attorney for Student expresses a strong disagreement with the ALJ's order granting continuance in this matter, Student failed to present any new or different facts, circumstances, or law justifying reconsideration. However, in granting the request for continuance, at the prehearing conference, and setting new due process hearing dates to begin on March 3, 2015, the undersigned indicated that OAH would be unable to set new hearing dates in this matter until late February to early March in 2015. Student's request for

reconsideration asserts that Student requires an earlier hearing date due to placement issues. After considering all of Student's contentions, OAH can accommodate hearing dates in this matter as early as February 2015. Therefore, new facts do exist to reset the hearing dates in this matter to begin on February 17, 2015. Accordingly, reconsideration is granted, and the prehearing conference and due process hearing dates in this matter are reset as follows:

Prehearing Conference:	**February 9, 2015, at 1:00 PM**
Due Process Hearing:	**February 17-19, and 24-26, 2015.** The hearing shall begin at 9:00 AM each day, except for February 17 when the hearing shall begin 1:30 PM, and February 24 when the hearing shall begin at 9:30 AM. Thereafter, the hearing shall continue day to day, Monday through Thursday at the discretion of the ALJ until the hearing is concluded.

IT IS SO ORDERED.

DATE: December 1, 2014

/s/

ADENIYI AYOADE
Administrative Law Judge
Office of Administrative Hearings