BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT AND CITIZENS OF THE WORLD CHARTER SCHOOL – SILVER LAKE.	OAH Case No. 2016070695 ORDER DENYING REQUEST FOR RECONSIDERATION

On September 8, 2016, the undersigned administrative law judge issued an order that granted the parties' continuance, but did not grant the dates requested in late September 2016, due to unavailability of Administrative Law Judges to hear the case. The matter was set for hearing on November 1 – 3, 2016. On September 16, 2016, Student filed a request for reconsideration due to the hardship on Parents for funding a unilateral placement while this matter is pending for hearing and decision. On September 21, 2016, Citizens of the World Charter School filed an opposition to the request. On September 23, 2016, Student filed a reply brief. Los Angeles Unified School District did not submit a response.

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

While Student alleges new facts and circumstances in support of the request reconsideration, related to the hardship caused by the five week delay due to the cost of Parents' unilateral decision to place Student in a non-public school, this is not sufficient grounds for the Office of Administrative Hearings to move forward the hearing dates. OAH

is sympathetic to Parents' plight, but OAH has to be cognizant of the other families awaiting mediations and hearings to obtain vital services or placements to their children. Granting Student's request could mean that a case filed before Student's case might need to be continued to accommodate Student's request, which would be unfair to that family. Accordingly, Student's request for reconsideration is denied.

ORDER

Student's Request for Reconsideration is Denied.

IT IS SO ORDERED.

DATE: September 28, 2016

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