BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: LOS ANGELES UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017060361 ORDER GRANTING REQUEST FOR RECONSIDERATION FOR STUDENT'S MOTION TO CONTINUE HEARING GRANTED IN PARTS

On September 11, 2017, Student filed his request to continue the dates in this matter with the Office of Administrative Hearings, with advocate, Victoria Baca, stating that she had been scheduled to testify in Sacramento before a local government committee on September 12, 2017. OAH denied the motion to continue on September 11, 2017 because Student did not provide any documents or declarations under the penalty of perjury supporting the request for the last minute continuance. On the same day, Student filed a second motion to continue the hearing with supporting documentation which was treated as a motion for reconsideration.

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

On reconsideration of Student's request of the hearing continuance together with Ms. Baca's declaration, under penalty of perjury, that on September 7, 2017, after the August 28, 2017 prehearing conference, she found out she had to testify before a local government committee on September 12, 2017 in Sacramento, OAH will continue the hearing one day, from September 12, 2017 to September 13, 2017. Although Ms. Baca requested a longer continuance based on a conference she wished to attend, such eleventh hour request was not good cause to justify granting a longer hearing continuance, especially as the conference has

been scheduled for several months and should have been taken into account in the July 12, 2017 joint continuance request. Therefore, a longer hearing continuance is denied. No further continuances will be granted.

ORDER

1. Student's motion for reconsideration for a hearing is granted in part, and a one day continuance of the hearing is granted: The hearing shall commence on September 13, 2017, instead of September 12, 2017. The hearing shall take place at 320 West Fourth Street, Suite 630, Los Angeles, CA 90013. The hearing will continue day to day, Monday through Thursday, at the discretion of the ALJ and shall begin at 9:30 a.m. on the first day of the hearing, and at 9:00 a.m. all other days, and end at 4:30 p.m., unless otherwise ordered.

2. Student's request for a longer hearing continuance is denied.

IT IS SO ORDERED.

DATE: September 12, 2017

DocuSigned by:
Sabrina Kong
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SABRINA KONG
Administrative Law Judge
Office of Administrative Hearings