BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GARDEN GROVE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2023030016

ORDER DENYING REQUEST FOR RECONSIDERATION

APRIL 17, 2023

On April 10, 2023, the undersigned Administrative Law Judge issued an order granting Garden Grove Unified School District's request for continuance. On April 14, 2023, Student filed a motion for reconsideration. Motions for reconsideration are determined by the Administrative Law Judge who issued the order that is the basis of the motion. The Office of Administrative Hearings, called OAH, did not receive a response from Garden Grove.

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, generally within ten days. (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. (*Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

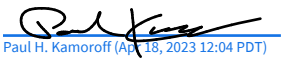
On April 5, 2023, Garden Grove moved to continue the due process hearing based on the unavailability of its attorney. The motion was timely filed three days prior to the prehearing conference. On April 10, 2023, Student opposed the motion. There were no prior continuances for this matter.

On April 10, 2023, OAH held a prehearing conference where the parties supplemented their pleadings with oral argument. Following the oral argument, OAH granted the request and issued a written order. As described in OAH's order, the unavailability of Garden Grove's attorney constituted good cause for a continuance. (Ed. Code, § 56505, subd. (f)(3); Cal. Rules of Court, rule 3.1332(c).)

Student's request for reconsideration repeats the argument that the unavailability of Garden Grove's attorney does not constitute good cause for a continuance. Student's attorney fails to understand that reconsideration may only be granted when there are new facts, circumstances, or law that would support reconsideration. Student's motion fails to offer new facts or law that were unavailable to Student when he filed or orally argued his opposition, or new circumstances that would support reconsideration. Consequently, Student's motion for reconsideration is denied.

ORDER

Student's motion for reconsideration is denied. All dates set in this matter are confirmed.



Paul H Kamoroff

Administrative Law Judge

Office of Administrative Hearings