BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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| In the Matter of:<br><br>PARENT ON BEHALF OF STUDENT,<br><br>v.<br><br>WILLIAM S. HART UNION HIGH SCHOOL DISTRICT. | OAH Case No. 2017011151<br><br>ORDER DENYING REQUEST FOR RECONSIDERATION |

On March 7, 2017, the undersigned administrative law judge issued an order granting a request for continuance of all dates in this matter. The initial hearing date was March 23, 2017. On March 8, 2017, Student's attorney filed a motion for reconsideration on behalf of Student. Because the motion is denied, no response from District is necessary.

## 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

Student filed a request for continuance on March 1, 2017, requesting dates for hearing on April 18-20, 2017, because Student's counsel was not available on the date set for mediation, and Student wanted to mediate before hearing. OAH granted the motion, taking into consideration District's opposition, which stated District was not available for hearing on the dates proposed by Student's counsel, but was available two weeks later during the first week of May 2017.

Although Student's motion for reconsideration points out insignificant factual inaccuracies in the Order, and in District's opposition, Student has offered no new relevant facts or law justifying reconsideration. Accordingly, reconsideration is denied.

OAH is inclined to grant a second continuance to mutually agreed-upon dates providing counsel for both parties meet and confer and file a joint request for continuance that includes hearing dates within 90 days of the initial hearing date. If the parties cannot agree on dates, each party shall provide OAH with dates within 90 days of the original hearing date and OAH will select the dates for the parties.

All dates are confirmed, unless otherwise ordered.

IT IS SO ORDERED.

DATE: March 8, 2017

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Adrienne L. Krikorian
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ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings