

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA BARBARA UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014060923

ORDER GRANTING REQUEST FOR
RECONSIDERATION AND
CLARIFYING SCHEDULING ORDER

On August 15, 2014, the undersigned administrative law judge issued an order granting Student's motion to amend complaint. Thereafter, the Office of Administrative Hearings issued a new scheduling order. On August 18, 2014, Santa Barbara Unified School District (Santa Barbara) submitted a letter indicating that Administrative Law Judge Gorsline had previously granted Student's motion to amend complaint and setting hearing dates during a prehearing conference conducted on August 4, 2014. Santa Barbara seeks clarification of the dates set in this matter. OAH construes Santa Barbara's letter as a motion for reconsideration of the August 15, 2014, order.

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

The August 15, 2014, order granting Student's motion to amend was issued inadvertently as a ruling granting Student's motion to amend had already been ruled on during the PHC. Accordingly, Santa Barbara's request for clarification of the hearing dates is granted.

ORDER

1. Student's amended complaint is deemed filed as of the PCH order dated August 4, 2014.

2. The dates set forth in the scheduling order dated August 15, 2014 are vacated.
3. The matter will proceed as set forth in the August 5, 2014, scheduling order as follows:

Mediation: September 9, 2014, from 9:30AM to 4:30 PM

Pre-Hearing Conference: September 22, 2014, at 3:00 PM

Due Process Hearing: September 30, 2014, 9:30 AM to 5:00 PM and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.

IT IS SO ORDERED.

DATE: August 18, 2014

/s/

JOY REDMON

Administrative Law Judge

Office of Administrative Hearings