BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SEQUOIA UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2022050026

ORDER GRANTING REQUEST FOR VIDEOCONFERENCE MEDIATION ON RECONSIDERATION

JULY 19, 2022

On July 19, 2022, the undersigned Administrative Law Judge issued an order denying the parties' joint request for a second mediation date because the first mediation had been canceled without explanation and not timely rescheduled. On July 19, 2022, Sequoia Union High School District filed a letter explaining that they had filed a letter with the Office of Administrative Hearings, called OAH, on June 10, 2022, giving the reason for cancelation of the June 13, 2022, mediation. OAH will the July 19, 2022, letter as a motion for reconsideration.

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

Sequoia Union's letter was timely filed. Although it does not contain a sworn declaration, the information in the letter was sufficient for OAH to confirm that Sequoia Union had filed an explanation of the earlier cancellation with OAH, although that letter was not in the file. This new information supports reconsideration.

On reconsideration, Sequoia Union does not explain the extended delay in rescheduling a mediation, but as the parties are not seeking another continuance of the due process hearing, the joint request is granted.

MEDIATION DATE is July 22, 2022, 9:00 AM to 4:30 PM.

MEDIATION will occur via telephone or video.

ANY CHANGES TO THE PARTICIPANTS' EMAIL ADDRESSES PROVIDED BY THE PARTIES IN THEIR REQUEST MUST BE FILED TWO BUSINESS DAYS BEFORE THE SCHEDULED EVENT.

IT IS SO ORDERED.

Alexa Hohensee

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings