BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. HUNTINGTON BEACH UNION CITY SCHOOL DISTRICT; HUNTINGTON BEACH UNION SCHOOL DISTRICT; WEST ORANGE COUNTY CONSORTIUM FOR SPECIAL EDUCATION.	OAH CASE NO. 2013100097 ORDER DENYING REQUEST FOR RECONSIDERATION

On October 28, 2013, the undersigned Administrative Law Judge issued an order granting a request to continue the initially scheduled hearing dates in the case. On November 4, 2013, the advocate representing Student filed with the Office of Administrative Hearings (OAH) a motion for reconsideration of this order. Counsel representing respondents in this case have not filed with OAH a response to the reconsideration request.

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.)

Here, Student has introduced no new facts, circumstances, or law that support a reconsideration of the order continuing the initially scheduled hearing dates in the case. OAH, generally, will grant a request for continuance of initially scheduled mediation and hearing dates, especially upon a showing of unavailability of one or more parties, which was the situation underlying the continuance order. Accordingly, the motion for reconsideration is denied.

IT IS SO ORDERED.

Dated: November 18, 2013

/s/

TIMOTHY L. NEWLOVE
Presiding Administrative Law Judge
Office of Administrative Hearings