BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SANTA PAULA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2020050048

ORDER GRANTING REQUEST FOR RECONSIDERATION AND REQUEST FOR SECOND MEDIATION

AUGUST 7, 2020

The Office of Administrative Hearings typically offers one mediation per case at no expense to the parties. The parties in this case did avail themselves of mediation on July 27, 2020. On July 27, 2020, the parties filed a joint request for another mediation session. This request was denied by the undersigned Administrative Law Judge on July 31, 2020. On August 3, 2020, Student filed a request for reconsideration, supported by the declaration of attorney David W. German. OAH did not receive a response from Santa Paula Unified School District.

APPLICABLE LAW

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

DISCUSSION

Student's motion for reconsideration, and the accompanying attorney affidavit, set forth facts and circumstances that warrant reconsideration of the denial of the parties' joint request for mediation.

As described in the present motion, the case is procedurally complex and "involves claims which have previously been decided in a related expedited hearing, additional claims which are moving towards hearing as part of the non-expedited portion of the case, and related complaints arising under federal disability discrimination statutes which are not within the jurisdiction of this court." Since the last mediation, the parties have had an opportunity to seek additional settlement authority. Student represents that a second mediation would likely enable a comprehensive resolution of all claims, obviating the need for a hearing in the unexpedited portion of this case. Efficient resolution of disputes serves the public interest. The matter having been reconsidered, the parties' joint motion for second mediation is granted.

ORDER

A second mediation in this case shall be scheduled for August 21, 2020.

IT IS SO ORDERED.

DocuSigned by:



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Claire Yazigi

Administrative Law Judge

Office of Administrative Hearings