BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019080841

ORDER GRANTING REQUEST FOR RECONSIDERATION

On January 15, 2020, the undersigned denied Student's motion to continue this hearing. Student did not establish good cause for the continuance. On January 17, 2020, Student filed a motion for reconsideration.

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, 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 offers new facts to support reconsideration. Student's counsel acknowledges that she booked travel to a conference after this matter was scheduled. She asserts, however, that the conference is educational and valuable for her practice. The motion for reconsideration is granted.

However, this matter has been pending since August, and the need to attend this conference, however valuable, does not outweigh the IDEA's focus on timely resolving disputes. Accordingly, the continuance is GRANTED and the currently scheduled hearing dates vacated. In light of the length this case has been pending, the dates will be advanced rather than delayed.

The matter will now be set as follows:

Prehearing conference: February 10, 2020, at 1 PM

Due process hearing: February 19, through 20, 2020, and day to day thereafter at the discretion of the Administrative Law Judge. The hearing will start at 9:30 AM on the first day and 9 AM on all subsequent days. The parties are to notify witnesses expeditiously of the newly scheduled hearing days.

IT IS SO ORDERED.

DocuSigned by:
Joy Redmon
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DATED: January 21, 2020

Joy Redmon
Presiding Administrative Law Judge
Office of Administrative Hearings