BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019081163

ORDER DENYING REQUEST FOR RECONSIDERATION

On September 11, 2019, the undersigned Administrative Law Judge issued an order denying Student's motion to change the hearing location. On September 11, 2019, Student filed a second request for a change in mediation and hearing location which the Office of Administrative Hearings, referred to as OAH, deemed a request for reconsideration. On September 12, 2019, Student filed a motion to amend the complaint. On September 16, 2019, Saddleback Valley Unified School District filed an opposition to Student's request for reconsideration. On September 17, 2019, Student filed a reply to Saddleback Valley's opposition. On September 19, 2019, OAH granted Student's motion to amend and reset the hearing dates.

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 no new facts, circumstances, or law to support reconsideration. Student argues that Parents will be in or around the requested locations during the previously scheduled hearing dates. Student did not offer reason why this information was not provided in the first motion. Student was aware of Parents' travel plans when she first requested a change of venue therefore this information is not new to Student. Moreover, because OAH granted Student's motion to amend the complaint OAH issued a new scheduling order with new hearing dates.

ORDER

Student has not established the September 11, 2019 Order Denying the Motion to Change Venue should be reconsidered. The motion for reconsideration is denied. All dates set in the September 19, 2019 scheduling order are confirmed.

DATED: September 19, 2019

DocuSigned by:
Linda Johnson
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Linda Johnson
Administrative Law Judge
Office of Administrative Hearings