BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. BONSALL UNIFIED SCHOOL DISTRICT, PATHWAYS ACADEMY CHARTER SCHOOL	OAH Case No. 2016050487 (Primary) OAH Case No. 2016030368
PATHWAYS ACADEMY CHARTER SCHOOL, BONSALL UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2016050250 ORDER GRANTING REQUEST FOR RECONSIDERATION AND CLARIFICATION AND AMENDING MAY 19, 2016 ORDER GRANTING CONSOLIDATION

On May 19, 2016, the undersigned administrative law judge issued an order consolidating OAH Case Numbers 2016030368, 2016050487, and 2016350250. On May 20, 2016, Parent through her educational advocate filed a request for clarification and issuance of a scheduling order in a third case filed by Parent through her educational advocate. This Order only addresses clarification of the three OAH case numbers addressed in the May 19, 2016 Order. A request for a scheduling order in Student's third case against a separate responding local educational agency must be filed separately and under the case number assigned to that matter.

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. (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 AND ORDER

Reconsideration and Clarification

Student's request for clarification and reconsideration of the May 19, 2016 Order effectively requests that the caption and identity of the parties in the matters consolidated under the Order be clarified and corrected to delete Julian Charter Schools as a responding local educational agency in Student's case numbers 2016030368 and 2016050487. Student contends the May 19, 2016 Order correctly consolidated the three identified OAH case numbers, but mistakenly identified Julian as a responding party. Upon review of all four cases filed with OAH under Student's name, Student's request has merit and is therefore granted.

This Order amends the May 19, 2016 Order consolidating OAH Case Numbers 2016030368, 2016050487, and 2016350250. The basis for granting consolidation remains as stated in the Order and consolidation is proper.

The caption in the consolidated cases shall be corrected to reflect that the local educational agencies in the consolidated matters shall be Pathways Academy Charter Schools and Bonsall Unified School District.[1] Julian Charter Schools is not a party to any of the three cases in this consolidated matter. The parties shall clarify the correct names of each of the local educational agencies who are parties to this consolidated action with the administrative law judge during the prehearing conference in these consolidated matters.

Student's request for a scheduling order regarding Student's fourth case naming only Julian Charter Schools is denied without prejudice. If OAH has not yet issued a scheduling order, Student may file a separate written request with OAH referencing that case only.

IT IS SO ORDERED.

DATE: May 27, 2016

Adrienne Krikorian (By PALJ Jane Shuman)

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings

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[1] Parent refers to Bonsall as "Bonsall Union School District." Counsel for Bonsall identifies it as Bonsall Unified School District. This Order assumes that District's counsel has correctly identified the name of her client.