BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2017050521
v.	ORDER GRANTING STUDENT'S REQUEST FOR RECONSIDERATION AND CONTINUING PREHEARING CONFERENCE AND DUE PROCESS HEARING
DUBLIN UNIFIED SCHOOL DISTRICT.	

On September 1, 2017, the undersigned administrative law judge issued an order granting Dublin Unified School District's Request for Continuance. On September 6, 2017, Student filed a Request for Continuance because the dates the undersigned ALJ ordered for the continued due process hearing are the dates that Counsel for Student stated she would be out of the country in her opposition to Dublin's Request for Continuance. Student's Request for Continuance is therefore considered a Request for Reconsideration of the order granting Dublin's Request for Continuance.

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

Reconsideration

In the present case, the undersigned ALJ failed to notice the dates that Counsel for Student was out of the country. Having found good cause for the dates Student requested in her opposition to Dublin's Request for Continuance, Student's request for reconsideration is granted.

Continuance

On reconsideration, all previous dates are vacated. The continuance is still granted, but the dates scheduled have changed.

Prehearing Conference:	October 23, 2017, at 10:00 AM
Due Process Hearing:	October 31, 2017 at 9:30 AM, continuing November 1 and 2, 2017, at 9:00 AM, and day to day, Monday through Thursday, as needed at the discretion of the Administrative law Judge.

ORDER

Based on reconsideration of the order granting Dublin's Request for Continuance, Student's Request for Reconsideration is Granted, the Motion to Continue is granted and the dates for the prehearing conference and hearing are changed.

IT IS SO ORDERED.

DATE: September 12, 2017

DocuSigned by:
Rita Defilippis
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RITA DEFILIPPIS
Administrative Law Judge
Office of Administrative Hearings