

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

ALVORD UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2010050695

ORDER DENYING REQUEST FOR  
RECONSIDERATION OF ORDER  
DENYING MOTION FOR CHANGE OF  
HEARING LOCATION

On June 17, 2010, the undersigned administrative law judge issued an order denying Student's request to change the hearing location from Riverside, California, to an OAH office approximately 37 miles away in Laguna Hills, California. The motion was denied because Student failed to demonstrate that the OAH location was "reasonably convenient," particular in light of Southern California's traffic patterns, and Student otherwise presented no evidence of specific facts justifying a hearing so far from the Student's home. On June 21, 2010, Student filed a motion for reconsideration that argued more strenuously for Student's position, but failed to demonstrate any changed facts, circumstances or law. District opposed Student's motion for reconsideration on June 23, 2010.

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.) Here, reconsideration is not justified as Student has not demonstrated any changed facts, circumstances or law since the filing of the original motion. Accordingly, the motion for reconsideration is denied.

To the extent Student alternatively requested a continuance "so that this decision may be appealed to a court of competent jurisdiction," the motion is denied. Student has failed to include any proposed hearing dates and failed to provide any specific facts justifying a continuance at this time, given that the hearing date is over 60 days away from the date of this order. The request for a continuance is denied without prejudice to Student renewing it in a separate written motion.

IT IS SO ORDERED.

Dated: June 25, 2010

/s/

RICHARD T. BREEN  
Administrative Law Judge  
Office of Administrative Hearings