

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CUPERTINO UNION SCHOOL
DISTRICT.

OAH CASE NO. 2012020850

ORDER DENYING REQUEST FOR
RECONSIDERATION

On March 22, 2012, the undersigned administrative law judge issued an order denying Student's request for an expedited decision and granting the Cupertino Union School District's (District) request for a continuance. On March 26, 2012, Student filed a request for reconsideration of the March 22, 2012 order.

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

Student alleges no new facts, circumstances or law in support of the request reconsideration. Student's primary assertion is that he had previously not asked for the hearing dates to be advanced because Student did not expect that District's request for a continuance would be granted. It appears that Student is only seeking reconsideration of the granting of the continuance. Regardless, Student has provided no new facts, circumstances

or law in support of a reconsideration of either part of the March 22, 2012 order and therefore, the request for reconsideration is denied.

IT IS SO ORDERED.

Dated: April 4, 2012

/s/

BOB N. VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings