

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

POWAY UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2016030138

ORDER DENYING REQUEST FOR
RECONSIDERATION

On March 11, 2016, the undersigned administrative law judge issued an order that granted in part Student's continuance request and denied the request to change the venue of the hearing. On March 14, 2016, Student filed a request for reconsideration, contending that good cause does exist to continue the hearing to either late June or early July 2016, and to change the hearing venue. On March 17, 2016, Poway Unified School District filed an opposition to the request.

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

Student alleges no new facts, circumstances, or law that would warrant the granting the reconsideration request to further continue the hearing dates or change the hearing location. Witness availability may be discussed at the prehearing conference when more is known as who will testify in this matter and their availability. Further, parental preference to change the hearing location is not sufficient to warrant the request to be granted.

Accordingly, Student's request for reconsideration is denied.

ORDER

Student's Motion for Reconsideration is denied.

DATE: March 18, 2016

DocuSigned by:
Peter Paul Castillo
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PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings