BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SANTA CLARA COUNTY OFFICE OF EDUCATION, DISCOVERY CHARTER SCHOOL, AND SUNNYVALE SCHOOL DISTRICT.

OAH CASE NUMBER 2019090001

ORDER GRANTING MOTION TO CHANGE VENUE

FEBRUARY 5, 2020

On December 6, 2020, Student filed a second amended Request for Due Process Hearing naming Santa Clara County Office of Education, Discovery Charter School, and Sunnyvale School District as respondents. On January 16, 2020, the Office of Administrative Hearings, also called OAH, scheduled the hearing at Sunnyvale School District's Offices located at 819 W. Iowa Avenue, Sunnyvale, California, 94088.

On February 5, 2020, all parties made a joint motion to change the hearing location to the Santa Clara County Office of Education's Offices located at 1290 Ridder Park Drive, San Jose, California, 95131, based on Sunnyvale School District's lack of space to accommodate the hearing.

APPLICABLE LAW

The place for conducting a due process hearing must be reasonably convenient to the parents and student involved the proceeding. (34 C.F.R. § 300.515, subd. (d).) California Education Code section 56505, subdivision (b), directs the place for a due process hearing and provides that the "hearing shall be held at a time and place reasonably convenient to the parent or guardian and the pupil."

DISCUSSION

Parents and respondents agree to the requested change of hearing location.

ORDER

1. The parties motion to change the location of hearing is granted.
2. The due process hearing shall be held at the Santa Clara County Office of Education, located at 1290 Ridder Park Drive, San Jose, California, 95131.

IT IS SO ORDERED.

DocuSigned by:
Rita Defilippis
8BD5FE332F4847E...

Rita Defilippis

Administrative Law Judge

Office of Administrative Hearings