

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

SAN LEANDRO UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2013100168

ORDER DENYING DISTRICT'S
MOTION TO CHANGE HEARING
LOCATION

At the prehearing conference (PHC) for this matter, District unequivocally represented that its offices were closed on November 25 and 26, 2013, and sought to have the hearing dates changed. In reliance on District's representations at the PHC regarding its offices, OAH set the hearing in this matter for all dates, including November 21, 2013, at the OAH office in Oakland, California, a place reasonably convenient to student and parents, within the meaning of IDEA. On November 20, 2013, District moved for a change of hearing location to its offices. District now asserts, contrary to its arguments at the PHC, that its administrative offices are in fact open and staffed on November 25 and 26, 2013, and that it would be more convenient for District to have the hearing at its offices.

District's motion is denied. OAH reasonably relied on District's representation at the PHC that its offices were not available for all of the scheduled hearing dates. More importantly, nothing in the IDEA requires the hearing location to be set for the convenience of the District. Here, San Leandro is adjacent to Oakland and meets the requirement of a place reasonably convenient to Student and parents under the IDEA. Accordingly, District's motion is DENIED.

Dated: November 20, 2013

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge
Office of Administrative Hearings