

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA CLARA UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015030117

ORDER PARTIALLY GRANTING
REQUEST FOR ACCOMMODATIONS
UNDER THE AMERICANS WITH
DISABILITIES ACT

On May 27, 2015, Student filed, with his prehearing conference statement, a request for accommodations under the Americans with Disabilities Act to be made at the hearing when Student is called to testify. Santa Clara Unified School District filed a partial opposition to the request on May 28, 2015. The request was considered and after evaluating the request, the following accommodations are granted:

1. Additional time to answer questions is **granted**.
2. Student's receipt of questions in writing is **denied**, as it fundamentally alters the nature of the proceedings.
3. Presence of a trusted individual during student's testimony to assist in pacing and understanding of questions is **denied**, as it fundamentally alters the nature of the proceedings.
4. Allowing student to answer questions in writing is **denied**, as it fundamentally alters the nature of the proceedings.
5. Limiting the number of people present during student's testimony to make the environment less adversarial and threatening is **partially denied**, as it fundamentally alters the nature of the proceedings. Parties and counsel shall be permitted in the room at all times, however witnesses shall be excluded until they are called.

6. Allowing student to testify in a room without a courtroom setup so the environment is less adversarial and threatening is **granted**.

7. Having ALJ wear regular clothing as opposed to a robe so the environment is less adversarial and threatening is **granted**.

IT IS SO ORDERED.

DATE: June 1, 2015

/s/

MARGARET BROUSSARD
Presiding Administrative Law Judge
Office of Administrative Hearings