

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN RAFAEL CITY HIGH SCHOOL
DISTRICT

OAH Case No. 2015070341

ORDER FOR ADDITIONAL
INFORMATION ON MOTION FOR
STAY PUT

On July 20, 2015, Student filed a motion for stay put. On July 16, 2015, District filed an opposition on the ground that Student is not a resident of the District.¹ Student contends that he resides within District's jurisdiction. District contends that Student resides within Richmond, California, outside of District's jurisdiction, based on reports from a private investigator and Student's May 2015 disclosure to school staff of the family's address in Richmond. District's opposition did not disclose the address that Student provided to school staff in May 2015. District noted that Parent's Affidavit of Residency certified that Parent resided in San Rafael, but District nevertheless contends that Student resides in Richmond based on Student's disclosure to staff and the reports from a private investigator.

Additional information is required before a ruling may be made on the pleadings as to Student's motion for stay put. District did not provide evidence of Parent's specific address in Richmond, California. Accordingly, District needs to submit a declaration under penalty of perjury regarding Parent's specific, physical address in Richmond and the name of the corresponding district of residence. Further, District needs to submit a declaration under penalty of perjury regarding the name of the high school district for the physical address identified in Parent's Affidavit of Residency.

¹ District's opposition preceded Student's motion, because on July 16, 2015, District filed an opposition to Student's *sibling's* motion for stay put against District on the ground that Student's sibling was not a resident of District. District correctly forecasted that Student's motion for stay put would involve the same dispute regarding Parent's residency.

ORDER

By 5:00 p.m., on July 30, 2015, District shall submit to OAH and Student a declaration under penalty of perjury regarding Parent's specific, physical address in Richmond and the name of the corresponding district of residence in Richmond, and the name of the high school district of residence corresponding to the physical address identified in Parent's Affidavit of Residency. Student's response shall be submitted to OAH and District by 5:00 p.m., on August 4, 2015.

DATE: July 27, 2015

/s/

CAROLINE A. ZUK
Administrative Law Judge
Office of Administrative Hearings