

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

**IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,**

v.

**SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT,
SOUTH ORANGE COUNTY SPECIAL EDUCATION LOCAL PLAN
AREA, AND TRABUCO HILLS HIGH SCHOOL.**

OAH CASE NUMBER 2019081163

ORDER DENYING MOTION TO CHANGE VENUE

On August 29, 2019, Student filed a Request for Due Process Hearing naming Saddleback Valley Unified School District, South Orange County Special Education Local Plan Area, and Trabuco Hills High School as a party. On August 30, 2019, the Office of Administrative Hearings, also called OAH, scheduled the hearing at Saddleback Valley's Esperanza Special Education School located at 25121 Pradera Drive, Mission Viejo, California 92691.

On September 9, 2019, Student moved to change the hearing location to in or around the Anchorage International Airport on the first day of hearing and the Fairbanks International Airport on the second and third days of hearing. Student also requested that any mediation be held in or around Susanville, California. OAH has not received a

response from Saddleback Valley, South Orange County Special Education Local Plan Area, or Trabuco Hills High School.

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

Student alleges in the complaint that she attends Trabuco Hills High School within the Saddleback Valley Unified School District. Student did not provide a physical address for herself or Parents in the complaint; instead, Student provided a post office box located in Sacramento. Student asks for an order changing the venue for the hearing to a location in a different state over 3,000 miles away from either Trabuco Hills High School or Sacramento, California. Student's argument that the location is reasonably convenient because it is a major airport is not persuasive. Having to travel via plane to access a hearing location is not reasonably convenient.

Student's request to schedule mediation in a location in or around Susanville, California is premature. Should the parties wish to schedule mediation they can work together to determine a mutually convenient location.

ORDER

1. Student's motion to change the location of hearing is denied.

DATED: September 11, 2019

DocuSigned by:

Linda Johnson

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Linda Johnson

Administrative Law Judge

Office of Administrative Hearings