

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

**IN THE MATTER OF:
BELMONT-REDWOOD SHORES SCHOOL DISTRICT,**

v.

**PARENT ON BEHALF OF STUDENT.
OAH CASE NUMBER 2019090115**

ORDER GRANTING MOTION TO CHANGE VENUE

On September 4, 2019, Belmont-Redwood Shores School District filed a Request for Due Process Hearing naming Parent on behalf of Student as a party. The Office of Administrative Hearings, also called OAH, scheduled the hearing at Belmont-Redwood Shores' District Office located at 2960 Hallmark Drive, Belmont, California, 94002.

On September 9, 2019, Belmont-Redwood Shores filed a motion to change the hearing location to Cipriani Elementary School in Belmont, California on the grounds that its District Office is not legally accessible. Student has not opposed the request.

APPLICABLE LAW AND DISCUSSION

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."

The current hearing location is not suitable as it does not comply with all disability access laws. Belmont-Redwood Shores has secured an alternate hearing location at a nearby elementary school less than two miles from the original hearing location. Further, Belmont-Redwood Shores has filed a written certification that the proposed facility meets all legal accessibility requirements. There is no indication that the proposed location is not reasonably convenient to Parent and Student. Accordingly, the motion to change the hearing venue is granted.

ORDER

1. Belmont-Redwood Shores' motion to change the hearing venue is granted.
2. The due process hearing shall be held at Cipriani Elementary School located at 2525 Buena Vista Avenue, Belmont, California, 94402.

DATED: September 16, 2019

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Theresa Ravandi
Administrative Law Judge
Office of Administrative Hearings