BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. TWIN RIVERS UNIFIED SCHOOL DISTRICTS.	OAH CASE NO. 2014030894 ORDER DENYING MOTION TO CHANGE DUE PROCESS HEARING VENUE

On March 24, 2014, Student filed a Due Process Hearing Request (complaint), naming Twin Rivers Unified School District (District). On March 25, 2014, the Office of Administrative Hearings (OAH) issued a Scheduling Order, setting the due process hearing for May 20, 2014 at District's office located at 5115 Dudley Blvd., McClellan, California 95652.

On April 10, 2014 Student filed a request to change the hearing location from District's office to OAH's Sacramento office on the grounds the District office is an unfair location and not an "objective meeting place." OAH construes Student's request as a motion to change the hearing venue (Motion). The Motion was not supported by a declaration and no other grounds or arguments were stated by Student.

District filed no opposition.

APPLICABLE LAW AND DISCUSSION

The IDEA and the Education Code require that due process hearings be conducted "at a time and place reasonably convenient to the parents and child involved." (34 C.F.R. § 300.515, subd. (d); Ed. Code §56505, subd. (b).)

Neither of the reasons Student offers for changing venue are supported with explanation or evidence justifying a change in location based upon "reasonable convenience" of Student or his parents. While a neutral setting may be desired by Student, it is not a legal basis of reasonable convenience which is necessary for a change of venue.

ORDER

Student's Motion to change the location of the due process hearing is denied.

DATE: April 16, 2014

/s/

LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings