

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

EL RANCHO UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010110486

ORDER DENYING REQUEST FOR  
CHANGE OF LOCATION

A hearing is scheduled in the above matter on February 23 and 24, 2011 at 933 Loch Lomond Drive, Pico Rivera, California. On December 16, 2010, Whittier Area Cooperative Special Education Program, Legal Division (WACSEP), submitted a letter to OAH requesting a change of venue for the hearing and any mediation that may take place in the matter. The letter was copied to Student's attorney of record and to El Rancho Unified School District. No opposition was received by OAH from Student.

A due process hearing must be conducted "at a time and place that is reasonably convenient to the parents and child involved." (34 C.F.R. § 300.515(d); see also, Ed. Code, § 56505, subd. (b)). Here, the request for change of venue by WACSEP is not supported by any declaration that establishes how WACSEP has standing to make such a request, the basis for the proposed change, whether the proposed facilities are suitable for a hearing, and whether the proposed change of location is reasonably convenient to the parents and child. In the absence of an adequate declaration supporting the request, the request cannot be granted. Accordingly, the request for change of venue is denied without prejudice and may be resubmitted to OAH with adequate declarations establishing the basis for the request for change of venue, whether the proposed facilities are suitable for a hearing, and whether the proposed change of location is reasonably convenient to the parents and child.

IT IS SO ORDERED.

Dated: December 27, 2010

/s/

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ADRIENNE L. KRIKORIAN  
Administrative Law Judge  
Office of Administrative Hearings