

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

ALVORD UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2010050695

ORDER DENYING MOTION FOR
CHANGE OF HEARING LOCATION

On June 3, 2010, Student filed a request to change the hearing location from a District office to the OAH office at 23046 Avenida de la Carlota, Suite 750, Laguna Hills, California 92653. The requested OAH office is 37 miles from the District's office and 35 miles from Student's home. Without specifics, Student contended that the instant hearing was divisive and required a more neutral location. On June 8, 2010, District opposed the motion on the ground that the requested location was not reasonably convenient to Student's home given the distance and travel time, and that the District could find locations in Riverside other than the District's special education office.

A Student has a right to have the hearing held "at a time and place reasonably convenient to the parent or guardian and the pupil." (Ed. Code, § 56505, subd. (b).) Here, given the distance and the traffic patterns in Southern California, Student has not shown that the requested change is to a "reasonably convenient" location. Moreover, Student's concerns regarding neutrality could be met, as suggested by District, by use of a facility other than District's office, such as an elementary school. Accordingly, Student's motion is denied without prejudice to Student raising the issue of hearing location at the prehearing conference.

IT IS SO ORDERED.

Dated: June 17, 2010

/s/

RICHARD T. BREEN
Administrative Law Judge
Office of Administrative Hearings