

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN RAFAEL CITY SCHOOLS

OAH Case No. 2015070326

ORDER FOR ADDITIONAL
INFORMATION ON MOTION FOR
STAY PUT

On July 13, 2015, Student filed a motion for stay put. On July 16, 2015, District filed an opposition on the ground that Student is not a resident of the District. Student contends that he resides within District's jurisdiction. District contends that Student resides within Richmond, California, based on reports from a private investigator. District claims that Student's brother disclosed the family's address in Richmond but District did not disclose that address in its opposition. District further contends that based on Parent's Affidavit of Residency, Student may reside within the boundaries of Dixie School District but District questions the authenticity of the Affidavit.

Additional information is required before a ruling may be made on the pleadings as to Student's motion for stay put. In support of its opposition, District submitted Exhibit "2," described as "San Rafael City Schools Street Listing," dated October 12, 2007. District observes that the street address certified by Parent in an Affidavit of Residency, dated June 12, 2015, may be within the jurisdiction of Dixie School District based on the information set forth in District's Exhibit 2. However, District did not declare that the San Rafael City Schools Street Listing was a true, correct, and current copy of District's street listing, and that the physical address referenced by Parent in the Affidavit and in Student's moving papers falls within the jurisdiction of the Dixie School District or another school district.

Accordingly, District needs to submit a declaration under penalty of perjury to authenticate the San Rafael City Schools Street Listing as a correct and current listing of the streets within District's jurisdiction. District also needs to submit a declaration under penalty of perjury regarding the name of the school district for the physical address identified in

Student's motion at page 13, line 23, and in Parent's Affidavit of Residency.¹ Further, if District believes that Parent resides in Richmond, then it needs to submit credible evidence of Parent's physical address there and the name of the corresponding district of residence.

ORDER

By 5:00 p.m., on July 27, 2015, District shall submit to OAH and Student a declaration, under penalty of perjury, regarding the authenticity of the San Rafael City Schools Street Listing (Exhibit "2"), dated October 12, 2007; the name of the school district of residence corresponding to the physical address identified in Student's motion at page 13, line 23, and in Parent's Affidavit of Residency; Parent's physical address in Richmond, California; and the name of the school district of residence corresponding to Parent's physical address in Richmond. Student's response shall be submitted to OAH and District by 5:00 p.m., on July 30, 2015.

DATE: July 22, 2015

/s/

CAROLINE A. ZUK
Administrative Law Judge
Office of Administrative Hearings

¹ There is a slight discrepancy between the name of the street referenced in Student's motion and Parent's Affidavit. However, the name of the street referenced in Student's motion at page 13, line 23, and in District's Exhibit 2, are identical.