BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

WALNUT VALLEY UNIFIED SCHOOL DISTRICT,

and

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2026031218

OAH CASE NUMBER 2026020438

ORDER GRANTING MOTION TO CONSOLIDATE

MARCH 30, 2026

On February 9, 2026, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing in OAH case number 2026020438, Student's case, naming Walnut Valley Unified School District.

On March 26, 2026, Walnut Valley filed a Request for Due Process Hearing in OAH case number 2026030218, Walnut Valley's case, naming Student.

On March 30, 2026, Walnut Valley filed a Motion to Consolidate the cases and to continue the due process hearing date set in Student's case, OAH case number 2026020438.

On March 30, 2026, Student filed an objection to consolidation on the ground that a continuance was a delay tactic which would prejudice Student.

CONSOLIDATION

No statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases. However, OAH will generally consolidate matters that involve the same parties, a common question of law and/or fact, and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, both cases involve a common question of law or fact. The core of both cases is the appropriateness of assessments, termination of occupational therapy services, and denial of appropriate occupational therapy supports. In addition, consolidation furthers the interests of judicial economy because both cases involve the same legal issues, witnesses and exhibits. Accordingly, consolidation is granted.

CONTINUANCE

A due process hearing must be conducted, and a decision rendered, within 45 days of receipt of the due process notice, unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. OAH considers all relevant facts and circumstances in determining whether good cause exists to grant an extension. (See Cal. Rules of Court, rule 3.1332(d).)

Walnut Valley's motion to continue the hearing demonstrates good cause for a continuance, based on the unavailability of school district employees recently requested on Student's witnesses list, due to spring break on April 3, through 10, 2026. Further, on March 26, 2026, Student filed an objection to the Issue Statement contained in the Order Following Prehearing Conference, dated March 25, 2026, requesting significant changes to the issues as stated, which could be best addressed at a formal Prehearing Conference. Neither party previously requested a continuance. Further, Walnut Valley's request for continuance is moot as continuance dates requested by Walnut Valley are the initial due process hearing dates assigned by OAH on Walnut Valley's case and do not represent a significant prejudice to Student.

ORDER

1. Walnut Valley's Motion to Consolidate is granted.
2. Walnut Valley's Case is designated as the primary case. All dates previously set in Student's Case, OAH case number 2026020438, are vacated.
3. Both parties shall file new or amended Prehearing Conference Briefs clearly and concisely stating their respective issues for discussion at the Prehearing Conference.
4. Walnut Valley's request for continuance is moot.

5. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in Walnut Valley's Case, OAH case number 2026030218.

IT IS SO ORDERED.

Judith Pasewark

Judith Pasewark

Administrative Law Judge

Office of Administrative Hearings