BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025071092

ORDER DENYING MOTION TO CONSOLIDATE AND DENYING MOTION TO CONTINUE AND SECOND MEDIATION

OCTOBER 30, 2025

On July 10, 2025, Parents on behalf of Student M filed with the Office of Administrative Hearings a request for due process hearing in OAH case number 2025070393, Student M's Case, naming Los Angeles Unified School District and Our Community Charter School.

On July 29, 2025, Parents on behalf of Student T filed a request for due process hearing in OAH case number 2025071092, Student T's Case, naming Los Angeles Unified School District and Our Community Charter School.

On October 16, 2025, Parents on behalf of Student T filed a motion to consolidate the cases and mediation and continuance request, seeking a new hearing date in December 2025. The motion was supported by a declaration from Student T's counsel, who represents both Student M and T. Student T asserts that consolidation will result in judicial economy because Student M and Student T are twins and most of the hearing evidence will be identical.

On October 16, 2025, Our Community Charter filed a non-opposition. On October 28, 2025, Student filed a request to dismiss Our Community Charter in both cases, and Our Community Charter was dismissed that day.

On October 21, 2025, Los Angeles opposed consolidation but did not oppose Student T's request for a second mediation. Los Angeles asserts that because the cases involve two different children, petitioners must present a full and complete case for each child and consolidation would not result in judicial economy or consistency with the Individuals with Disabilities Education Act, referred to as the IDEA.

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, Student M's Case and Student T's Case do not involve the same parties. Specifically, the cases involve two different students. The IDEA emphasizes the

individual nature of special education eligibility and related services for each student. Although Student T asserts that Student M and Student T are twins, each is individually entitled to their own, individual rights and "individualized educational program," called an IEP, under the IDEA.

Moreover, despite Student T's assertion that each child's IEP documents are identical in all relevant aspects, the complaints reveal factual differences. Further, while the issues pled for hearing are facially similar, their adjudication will necessarily be specific to each student in each case.

Given the different parties and facts, Student T has failed to demonstrate that the cases involve a common question of law or fact such that consolidation would further the interests of judicial economy or prevent inconsistent rulings. Further, Student T has failed to demonstrate how any anticipated convenience of consolidating these two cases would be consistent with the IDEA's protections designed to address each child's individual needs. The motion for consolidation is denied.

CONTINUANCE AND MEDIATION

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).)

Student T's motion fails to demonstrate good cause for a continuance or second mediation. Student T requests a new hearing date sometime in December 2025 to accommodate a second, full-day mediation. Student T asserts the first mediation was

too brief, as it was a half-day mediation. Following Student T's instant motion, OUR Community Charter was dismissed from this case. Student T's motion fails to provide good cause for a second mediation with Los Angeles or for the continuance sought. Parties are free to request half-day or full-day mediation. In addition, participation in mediation requires agreement of both parties, and while Los Angeles did not oppose a second mediation, Student T did not submit requested dates or duration of mediation agreed to by both parties. Student T's motion for continuance and mediation is denied without prejudice.

ORDER

1. Student T's motion to consolidate is denied.
2. Student T's motion to continue and for a second mediation is denied without prejudice.

IT IS SO ORDERED.

Daniel Senter

Daniel Senter
Administrative Law Judge
Office of Administrative Hearings