BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

HEMET UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025100269

OAH CASE NUMBER 2025110440

ORDER DENYING REQUEST FOR RECONSIDERATION OF THE NOVEMBER 14, 2025, ORDER GRANTING MOTION TO CONSOLIDATE

NOVEMBER 17, 2025

On November 14, 2025, the Office of Administrative Hearings, called OAH, issued an order granting Hemet Unified School District's motion to consolidate Student's due process hearing request in OAH case number 2025100269, referred to as Student's Case, and Hemet Unified's due process hearing request in OAH case number 2025110440, referred to as Hemet Unified's Case. OAH designated Student's Case as the primary case and ordered the consolidated cases to proceed on the dates set in Student's Case. OAH vacated the dates in Hemet Unified's Case.

On November 14, 2025, Parent on behalf of Student filed a request to revise the consolidation order to designate Hemet Unified's Case as the primary case, and for the consolidated matter to proceed on the dates previously set in Hemet Unified's Case.

Student contends proceeding on the dates in Student's Case does not allow the parties to file revised prehearing conference statements, or to submit other filings, on the consolidated matter. Student also contends proceeding on the dates set in Student's Case does not permit the parties enough time to prepare hearing on the consolidated matter. Furthermore, Student contends proceeding to hearing on the later dates in Hemet Unified's Case allows the parties additional time to finalize a settlement agreement.

OAH will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time, generally within 10 days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

Student's request to revise the November 14, 2025, Order Granting Motion to Consolidate, which is considered a motion for reconsideration, is denied. Neither Hemet Unified in its motion to consolidate, nor Student in her non-opposition to the motion to consolidate, requested the consolidated matter proceed on the dates set in Hemet Unified's Case.

The parties have been afforded sufficient time to prepare for hearing to address the issues raised in Hemet Unified's Case. The motion to consolidate was granted

because Student's Case and Hemet Unified's Case involve common questions of law and fact, and involve the same witnesses, documentary evidence and legal arguments, to determine whether Hemet Unified appropriately assessed Student in psychoeducation and the need for a one-to-one aide. Accordingly, the parties, in preparation for Student's Case, have prepared for Hemet Unified's Case.

In addition, Student fails to explain what additional information the parties need to include in their prehearing conference statements that cannot be discussed at the November 17, 2025, prehearing conference. The parties and the Administrative Law Judge can discuss Hemet Unified's issues at the prehearing conference without the need for the parties to file amended prehearing conference statements.

Furthermore, the parties' efforts to finalize a settlement agreement is not good cause to set the hearing for the consolidated matter to a future date. The parties have ample time before the hearing begins on November 25, 2025, to obtain signatures to finalize a settlement agreement.

Accordingly, Student's request for reconsideration of the November 14, 2025, Order Granting Motion to Consolidate is denied.

IT IS SO ORDERED.

Rommel P. Cruz

Rommel P. Cruz
Administrative Law Judge
Office of Administrative Hearings