BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENTS ON BEHALF OF STUDENT, v. EAST WHITTIER CITY SCHOOL DISTRICT,	OAH Case No. 2015050689
EAST WHITTIER CITY SCHOOL DISTRICT, v. PARENTS ON BEHALF OF STUDENT.	OAH Case No. 2015020617 ORDER GRANTING MOTION TO CONSOLIDATE

On February 11, 2015, the East Whittier City School District filed a Request for Due Process Hearing in Office of Administrative Hearing case number 2015020617 (District's Case), naming Parents on behalf of Student.

On May 19, 2015, Student filed a Request for Due Process Hearing in OAH case number 2015050689 (Student's Case), naming District.

Also on May 19, 2015, Student filed a Motion to Consolidate District's Case with Student's Case. No opposition was received from District.

Request for Consolidation

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; 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, District's Case and Student's Case involve a common question of law or fact, including similar questions related to Student's education needs and program. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted, and Student's case, OAH case number 2015050689, is designated as the primary case.
2. All dates previously set in OAH case number 2015020617 (District's Case) are vacated.
3. The consolidated cases shall now be heard on the dates currently set in OAH case number 2015050689 (Student's Case), unless otherwise ordered.
4. 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 OAH case number 2015050689 (Student's Case).

DATE: May 21, 2015

/s/

PAUL H. KAMOROFF
Administrative Law Judge
Office of Administrative Hearings