BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

PALO ALTO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025030847

ORDER DENYING MOTION TO CONSOLIDATE AND CONTINUE

AUGUST 11, 2025

On March 21, 2025, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2025030847, Student's Case, naming Palo Alto Unified School District. That matter was twice continued, once on April 21, 2025 and again on May 8, 2025, and set for hearing to begin tomorrow, August 12, 2025.

On August 6, 2025, less than a week prior to the hearing, Palo Alto filed its own Request for Due Process Hearing in OAH case number 2025080258, and a Motion to Consolidate the cases and to continue the due process hearing to the September date

set for the newly-filed complaint. OAH has received no response from Student. The motion is now denied, for the following reasons.

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, specifically, whether or not Palo Alto's August 14, 2023 individualized education program did or did not offer Student a free appropriate public education. However, consolidation does not further the interests of judicial economy. The current matter has been on file since March, 2025, and twice continued already. The underlying facts on which Palo Alto relies have been known since August of 2023.

Palo Alto further contends that its complaint raises more recent issues, specifically an amendment individualized education program held in June 2025, that should be considered together. However, Palo Alto provides no reasons why that offer

cannot be separately adjudicated. Nor did Palo Alto provide any reasons why they did not bring their complaint more timely in June, filling instead less than a week prior to the current hearing dates.

ORDER

Palo Alto's Motion to Consolidate and Continue is denied.

IT IS SO ORDERED.

June Lehrman

June Lehrman
Administrative Law Judge
Office of Administrative Hearings