BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENTS ON BEHALF OF STUDENT, v. SPRINGS CHARTER SCHOOLS AKA RIVER SPRINGS CHARTER SCHOOL,	OAH Case No. 2018031003
SPRINGS CHARTER SCHOOLS AKA RIVER SPRINGS CHARTER SCHOOL, v. PARENTS ON BEHALF OF STUDENT.	OAH Case No. 2018060667 ORDER GRANTING CHARTER'S MOTION TO CONSOLIDATE

On May 29, 2018, the Office of Administrative Hearings granted Student's motion to file a second amended request for due process hearing (amended complaint) in OAH case number 2018031003 (Student's case), which named Springs Charter Schools, AKA River Springs Charter School. On June 13, 2018, Charter filed a complaint in OAH case number 2018060667 (Charter's case) naming Student. On June 13, 2018, Charter also filed a motion to consolidate its case with that of Student. Student has not filed a response to Charter's motion.

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, Student's case and Charter's case put at issue the validity of Charter's assessments of Student and of whether Charter's proposed February 9, 2018 individualized education program offers Student a free appropriate public education in the least restrictive environment. The cases will likely involve similar witnesses and exhibits. Consolidation of the two cases therefore serves the interests of judicial economy by avoiding the necessity of

two hearings with potentially conflicting decisions. Charter's motion to consolidate is therefore granted.

ORDER

1. Charter's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2018060667 [Charter's case] are vacated.
3. 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 2018031003 [Student's case].
4. Student's case is designated the primary case.

DATE: June 21, 2018

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Darrell Lepkowsky
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DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings