BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. VICTOR VALLEY UNION HIGH SCHOOL DISTRICT AND SAN BERNARDINO COUNTY SUPERINTENDENT OF SCHOOLS,	OAH Case No. 2015090006
VICTOR VALLEY UNION HIGH SCHOOL DISTRICT AND SAN BERNARDINO COUNTY SUPERINTENDENT OF SCHOOLS, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2015040613 ORDER GRANTING MOTION TO CONSOLIDATE

On April 14, 2015, Victor Valley Union High School District and San Bernardino County Superintendent of Schools filed a Request for Due Process Hearing in Office of Administrative Hearings case number 2015040613 (District's Case), naming Student.

On August 28, 2014, Student filed a Request for Due Process Hearing in OAH case number 2015090006 (Student's Case), naming District and County Superintendent.

On August 28, 2015, Student filed a Motion to Consolidate Student's Case with District's Case. On September 3, 2015, District filed an opposition to the motion to consolidate.

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, the First Case and Second Case involve a common question of law and fact, specifically, regarding the adequacy of the District's and County's December 4, 2014 and its continuation meeting of January 23, 2015 individualized educational program offer. In addition, consolidation furthers the interests of judicial economy because of the commonality of legal and factual issues, plus documentary evidence and witnesses. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2015040613 [District'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 2015090006 [Student's Case].

DATE: September 4, 2015

/s/

PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings