BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. TORRANCE UNIFIED SCHOOL DISTRICT,	OAH Case No. 2015050922
TORRANCE UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2015090531 ORDER GRANTING MOTION TO CONSOLIDATE

On May 6, 2015, Student filed a Request for Due Process Hearing in OAH case number 2015050922 (Student's Case), naming Torrance Unified School District.

On September 15, 2015, District filed a Request for Due Process Hearing in OAH case number 2015090531 (District's Case), naming Student.

On September 15, 2015, District filed a Motion to Consolidate the Student's Case with the District's Case.

On September 16, 2015, Student filed an objection to consolidation "to the extent that consolidation will result in continuing the due process hearing."

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 Student's Case and the District's Case involve a common question of law or fact, specifically, whether the appropriate placement for Student has been or is a comprehensive public school campus or a non-public school. Student's opposition does not argue that the two cases do not involve a common question of law or fact, but only addresses the issue of the date the due process hearing would begin, which is addressed in this order. Accordingly, consolidation is granted.

ORDER

1. District's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2015090531 (District's Case) are vacated. All dates previously set in OAH Case Number 2015050922 (Student's Case) are confirmed.
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 2015050922 (Student's Case).

DATE: September 15, 2015

/s/

KARA HATFIELD
Administrative Law Judge
Office of Administrative Hearings