BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

COLTON JOINT UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2025110977

OAH CASE NUMBER 2025120984

ORDER GRANTING MOTION TO CONSOLIDATE AND DENYING MOTION TO CONTINUE AS MOOT

DECEMBER 30, 2025

On November 21, 2025, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing in OAH case number 2025110977, Student's Case, naming Colton Joint Unified School District. On December 29, 2025, OAH held a prehearing conference for Student's Case and issued an order following prehearing conference on December 30, 2025, granting the parties' joint request for a mediation on January 20, 2026, 1:30 PM to 5:00 PM, and continuance of hearing to February 3-5, 2026.

On December 23, 2025, Colton filed a Request for Due Process Hearing in OAH case number 2025120984, District's Case, naming Student. On December 23, Colton filed a motion to consolidate Student's Case with District's Case. On December 26, 2025, OAH issued a scheduling order for District's Case setting hearing for District's Case on January 13-15, 2026.

On December 29, 2025, Student filed an opposition to Colton's Motion to Consolidate, claiming consolidation would expand and reframe Student's Case, necessitating more time to prepare for hearing. Additionally, Student contends consolidation would cause an unnecessary delay of Student's remedies.

On December 29, 2025, Colton filed a request for continuance of District's Case based on the unavailability of Colton's counsel due to her representation in a separate previously filed OAH case set for hearing on the same dates as District's Case.

CONSOLIDATION

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, the legal compliance of Student's September 2, 2025, IEP. In addition, consolidation furthers the interests of judicial economy because both cases will involve overlapping witnesses and documentary evidence. Lastly, consolidation avoids inconsistent findings of fact and

conclusions of law. Accordingly, consolidation is granted. Student's claims of prejudice resulting from consolidation are unpersuasive as consolidation will provide Student more time to prepare a defense to District's Case, without any further delay of Student's case.

Consolidation will result in vacating dates in District's case. Accordingly, Colton's request for continuance is denied, as moot.

ORDER

1. Colton's Motion to Consolidate is granted.
2. Student's Case, OAH case number 2025110977, is designated as the primary case. All dates previously set in District's Case, OAH case number 2025120984, are vacated.
3. Colton's Motion to continue denied, as moot.
4. The consolidated matters shall proceed on the dates previously set for mediation, prehearing conference and hearing in Student's Case, OAH case number 2025110977.

5. 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 Student's Case, OAH case number 2025110977.

IT IS SO ORDERED.

Rita Defilippis

Rita Defilippis

Administrative Law Judge

Office of Administrative Hearings