BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

PLEASANT VIEW ELEMENTARY SCHOOL DISTRICT AND

TULARE COUNTY OFFICE OF EDUCATION.

OAH CASE NUMBER 2025091063

OAH CASE NUMBER 2026010407

# ORDER FOLLOWING PREHEARING CONFERENCE GRANTING MOTION TO CONSOLIDATE AND GRANTING MOTION TO CONTINUE

JANUARY 20, 2026

On January 16, 2026, Administrative Law Judge Daniel Senter, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Parent appeared on behalf of Student. Attorney Amanda D'Amico appeared on behalf of Pleasant View Elementary School District and Tulare County Office of Education. Tammy Bradford, Tulare's assistant superintendent and special education local plan area director, was also present. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

## MOTION TO CONSOLIDATE

On September 30, 2026, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2025091063, Student's Case, naming Pleasant View and Tulare.

On January 13, 2026, Pleasant View filed a Request for Due Process Hearing in OAH case number 2026010407, Pleasant View's Case, naming Student.

On January 13, 2026, Pleasant View filed a Motion to Consolidate the cases. On January 13, 2026, Student filed a notice regarding procedural timing and reservation of rights. Within this notice, Parent stated she reserved all rights and objections with respect to Pleasant View's due process complaint and motion to consolidate, including objections related to consolidation. At the January 16, 2026, PHC, Student opposed consolidation on the grounds that the cases involve different issues and that Student would be prejudiced, as Student would not have time to prepare for the PHC and hearing if the consolidated cases were to proceed on the dates in Student's case. Parent asserted she would need additional time to evaluate Pleasant View's case.

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 common questions of law or fact regarding Pleasant View's occupational therapy, speech, and psychoeducation assessments. In addition, consolidation furthers the interests of judicial economy because the cases involve common witnesses and evidence. Accordingly, consolidation is granted.

## CONTINUANCE

A due process hearing must be conducted, and a decision rendered, within 45 days of receipt of the due process notice, unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. OAH considers all relevant facts and circumstances in determining whether good cause exists to grant an extension. (See Cal. Rules of Court, rule 3.1332(d).)

Parent's assertion at the PHC that Student would be prejudiced if the matters were consolidated and proceeded on the dates in Student's case, as well as Parent's statement that she needed additional time to prepare, is interpreted as a motion to continue. Pleasant View and Tulare did not oppose continuing Student's Case to the dates in Pleasant View's Case. In addition, Parent asserted she wished to move ahead as soon as possible. Accordingly, a short continuance is granted based on good cause to allow the parties time to prepare for the PHC and hearing in the consolidated matter.

## ORDER INCLUDES ALL RULINGS

This Order includes all rulings made at the PHC. All further matters will be discussed at the PHC in the consolidated cases. Any discussion and conversation not referenced in this Order is not binding on the ALJ conducting the hearing and may not be relied upon by the parties. The parties should be aware that, at hearing, the ALJ conducting the hearing has discretion to reconsider any part of this Order.

## ORDER

1. Pleasant View's Motion to Consolidate is granted.
2. Student's Case, OAH case number 2025091063, is designated as the primary case.
3. The matter is continued. The consolidated matter shall proceed as follows: Prehearing Conference shall be held on January 26, 2026, at 3:00 PM, and the Due Process Hearing shall be held on February 3, 4, and 5, 2026, beginning at 9:30 AM on all days, continuing day to day as needed at the discretion of the Administrative Law Judge.

4. 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 2025091063.

IT IS SO ORDERED.

*Daniel Senter*

Daniel Senter

Administrative Law Judge

Office of Administrative Hearings