BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

NATOMAS UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2025051107

OAH CASE NUMBER 2025070607

ORDER GRANTING MOTION TO CONSOLIDATE

JULY 30, 2025

On May 27, 2025, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing in OAH case number 2025051107, Student's Case, naming Natomas Unified School District.

On July 15, 2025, Natomas filed a Request for Due Process Hearing in OAH case number 2025070607, Natomas' Case, naming Student.

On July 18, 2025, Student filed a Motion to Quash Service in Natomas' Case, arguing that Natomas' complaint was improperly served by email only. Student also filed an Opposition to the Motion to Consolidate based on the same argument as to

improper service. Student also stated that, other than the improper service, there was no other opposition to consolidation, if the dates for the consolidated matters remained as scheduled in Student's Case.

By Order dated July 23, 2023, the Motion to Quash for improper service was granted. Immediately thereafter on July 23, 2025, Natomas re-served both the complaint and the Motion to Consolidate properly. There has been no further response or opposition from Student.

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 appropriateness of the last agreed upon and implemented individualized education program dated November 15, 2024, as amended on January 16, 2025 and April 10, 2025, to which Parent has not consented. Accordingly, consolidation is granted. The consolidated matters will proceed on the dates scheduled in Student's Case.

1. Natomas' Motion to Consolidate is granted.
2. Student's Case is designated as the primary case. All dates previously set in Natomas' Case, OAH case number 2025070607, 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 Primary Case, OAH case number 2025051107.

IT IS SO ORDERED.

June Lehrman

June Lehrman

Administrative Law Judge

Office of Administrative Hearings