BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

SAN BENITO HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2026011066

OAH CASE NUMBER 2026020339

ORDER GRANTING MOTION TO CONSOLIDATE

FEBRUARY 18, 2026

On January 28, 2026, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing in OAH case number 2026011066, Student's Case, naming San Benito High School District.

On February 5, 2026, San Benito High School District filed a Request for Due Process Hearing in OAH case number 2026020339, San Benito's Case, naming Student.

On February 5, 2026, San Benito moved to consolidate the cases.

On February 6, 2026, Student opposed consolidation on the ground that it might change the scope of the issues beyond independent educational evaluations.

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, whether San Benito timely funded independent educational evaluations Student requested or timely filed to defend the assessments San Benito conducted after Parent disagreed with them. Accordingly, consolidation is granted.

ORDER

1. San Benito High School District's Motion to Consolidate is granted.
2. Student's Case is designated as the primary case. All dates previously set in San Benito's Case, OAH case number 2026020339, are vacated.
3. The Prehearing Conference in the consolidated cases shall be held on the date scheduled in Student's Case, March 6, 2026, at 1:00 PM, and the Due Process Hearing in the consolidated cases shall be held on the dates scheduled in Student's Case, March 17, 18, and 19, 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 2026011066.

IT IS SO ORDERED.

Kara Hatfield

Kara Hatfield

Administrative Law Judge

Office of Administrative Hearings