

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:  
  
PARENT ON BEHALF OF STUDENT,

and

GREEN DOT PUBLIC SCHOOLS, AND  
  
CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA  
  
OAH CASE NUMBER 2021080754  
  
OAH CASE NUMBER 2021080759

ORDER GRANTING MOTION TO CONSOLIDATE

SEPTEMBER 16, 2021

On August 25, 2021, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2021080754, First Case, naming California Connections Academy Southern California.

On August 25, 2021, Student filed a Request for Due Process Hearing in OAH case number 2021080759, Second Case, naming Green Dot Public Schools.

On September 15, 2021, Green Dot Public Schools and California Connections Academy Southern California filed a Motion to Consolidate First Case with Second Case.

Student does not object to the motion.

## 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, First Case and Second Case involve a common question of law or fact, specifically, Student's educational program for the 2019-2020 and the 2020-2021 school years. Student attended the Green Dot program for seventh and eighth grade up to October 2020, when he enrolled in the California Connection Academy Southern California. Student does not oppose the motion. In addition, consolidation furthers the interests of judicial economy because the alleged failures to assess Student for all areas of suspected disability and failures to provide appropriate specialized academic instruction relate to common issues in both cases, and the evidence involves the same student and chronological facts. Accordingly, consolidation is granted.

## ORDER

1. Green Dot Public Schools' and California Connections Academy Southern California's Motion to Consolidate is granted.
2. First Case is designated as the primary case. All dates previously set in First Case, OAH case number 2021080759, 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 2021080754.

IT IS SO ORDERED.

*Deborah Myers Cregar*

Deborah Myers-Cregar

Administrative Law Judge

Office of Administrative Hearings