

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:

PARENTS ON BEHALF OF STUDENT,

AND

WESTMINSTER SCHOOL DISTRICT,

OAH CASE NUMBER 2021090327

OAH CASE NUMBER 2021090100

ORDER GRANTING MOTION TO CONSOLIDATE

SEPTEMBER 13, 2021

On September 1, 2021, Westminster School District filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2021090100, called Westminster's Case, naming Parents on behalf of Student.

On September 10, 2021, Student filed a Request for Due Process Hearing in OAH case number 2021090327, called the Student's Case, naming Westminster School District. On September 10, 2021, Student filed a Motion to Consolidate Student's Case with Westminster's Case. Westminster then filed a Notice of Non-Opposition to Student's Motion.

CONSOLIDATION

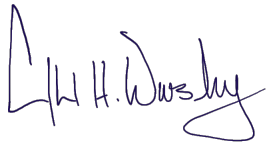
No statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases. However, OAH will generally consolidate matters that involve the same parties, a common question of law and/or fact, and when consolidation of the matters furthers the 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, Student's Case and Westminster's Case involve common questions of law or fact. Both cases involve the same parties and related issues regarding Westminster's offer of placement and services, during the same time period. Both cases will present many of the same witnesses and documentary evidence. Also, Westminster does not oppose the motion. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case, OAH case number 2021090327, is designated as the primary case. All dates previously set in Westminster's Case, OAH case number 2021090100, 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 2021090327.

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley". The signature is fluid and cursive, with the first name "Clifford" and last name "Woosley" being the most legible parts.

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings