

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:  
GLENDALE UNIFIED SCHOOL DISTRICT,

and

PARENT ON BEHALF OF STUDENT,  
OAH CASE NUMBER 2022020081  
OAH CASE NUMBER 2021100296

ORDER GRANTING MOTION TO CONSOLIDATE

FEBRUARY 3, 2022

On October 11, 2021, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing in OAH case number 2021100296, Student's Case, naming Glendale Unified School District, called Glendale.

On February 1, 2022, Glendale filed a Request for Due Process Hearing in OAH case number 2022020081, Glendale's Case, naming Student.

On February 1, 2022, Glendale filed a Motion to Consolidate the cases.

On February 2, 2022, Student filed a non-opposition.

## 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, both cases involve the same parties and a common question of law or fact, specifically, whether Student's May 13, 2021, and August 9, 2021 individualized education programs, called IEP's, offered Student a free appropriate public education. Student does not oppose the motion. Consolidation furthers the interests of judicial economy because both cases involve common witnesses and documentary evidence. In addition, consolidation prevents the risk of inconsistent rulings. Accordingly, consolidation is granted.

## ORDER

1. Glendale's Motion to Consolidate is granted.
2. Glendale's Case is designated as the primary case. All dates previously set in Student's Case, OAH case number 2021100296, are vacated.
3. The consolidated matters shall proceed on the dates previously set for hearing in Glendale's Case, OAH case number 2022020081.

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 Glendale's Case, OAH case number 2022020081.

IT IS SO ORDERED.

*Rita Defilippis*

Rita Defilippis

Administrative Law Judge

Office of Administrative Hearings