

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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

AND

PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT,
OAH CASE NUMBER 2022020273
OAH CASE NUMBER 2021110045

ORDER GRANTING MOTION TO CONSOLIDATE

FEBRUARY 9, 2022

On November 1, 2021, Placentia-Yorba Linda Unified School District filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2021110045, District's Case, naming Student.

On February 8, 2022, Student filed a Request for Due Process Hearing in OAH case number 2022020273, Student's Case, naming Placentia-Yorba Linda Unified School District. Student also filed a Motion to Consolidate Student's Case and District's Case. On February 9, 2022, Placentia-Yorba Linda filed notice of non-opposition to Student's motion to consolidate.

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 common questions of law or fact. District's Case seeks a finding that its March 2021 and April 2021 assessments of Student were legally appropriate. These same assessments will be submitted as evidence in Student's Case, which alleges Placentia-Yorba Linda did not provide Student with a free appropriate public education. Placentia-Yorba Linda does not oppose the motion. The consolidation furthers the interests of judicial economy. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case OAH case number 2022020273, is designated as the primary case. All dates previously set in District's Case, OAH case number 2021110045, 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 2022020273.

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley".

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings