

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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

and

SANTA ROSA ACADEMY,
OAH CASE NUMBER 2024100217
OAH CASE NUMBER 2024100146

ORDER GRANTING MOTION TO CONSOLIDATE

OCTOBER 7, 2024

On October 3, 2024, Student filed with the Office of Administrative Hearings, called OAH, a request for due process hearing in OAH case number 2024100217, Student's Case, naming Santa Rosa Academy. On October 3, 2024, Santa Rosa Academy filed a request for due process hearing in OAH case number 2024100146, Santa Rosa Academy's Case, naming Student.

On October 4, 2024, Santa Rosa Academy filed a motion to consolidate the cases. Student does not object to the motion.

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, the August 17, 2023, individualized education program that was amended on May 26, 2024. Student does not oppose the motion. In addition, consolidation furthers the interests of judicial economy because both cases involve the same witnesses and similar documentary evidence. Accordingly, consolidation is granted.

ORDER

1. Santa Rosa Academy's motion to consolidate is granted.
2. Student's Case is designated as the primary case. All dates previously set in Santa Rosa Academy's Case, OAH case number 2024100146, 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 Student's Case, OAH case number 2024100217.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings