

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

MANTECA UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2026070481

OAH CASE NUMBER 2026070274

ORDER GRANTING MOTION TO CONSOLIDATE AND
GRANTING MOTION TO CONTINUE AND SETTING
VIDEOCONFERENCE MEDIATION

AUGUST 4, 2026

On July 2, 2026, Manteca Unified School District filed a Request for Due Process Hearing in OAH case number 2026070274, called Manteca's Case, naming Student, with the Office of Administrative Hearings, called OAH. Manteca's case raised both expedited and non-expedited claims.

On July 10, 2026, Student filed a Request for Due Process Hearing in OAH case number 2026070481, called Student's Case, naming Manteca. Student's complaint raised only non-expedited claims.

On July 20, 2026, OAH denied Student's previous request to consolidate without prejudice. OAH indicated that the parties may request consolidation following the expedited due process hearing in Manteca's Case.

OAH heard the expedited portion of Manteca's case on July 28, 29, and 30, and August 4, 2026. On August 4, 2026, the Administrative Law Judge, called an ALJ, heard the parties' joint request to consolidate the two matters, and to continue the consolidated matter to allow the parties to mediate the remaining issues. As explained below, those requests are granted.

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 a common question of law or fact, specifically, the adequacy of the December 10, 2025, individualized education program and related triennial assessments. In addition, consolidation furthers the interests of judicial economy because it conserves both OAH's and the parties' limited resources, and prevents the possibility of inconsistent rulings. Accordingly, consolidation is granted.

CONTINUANCE

A due process hearing must be conducted, and a decision rendered, within 45 days of receipt of the due process notice, unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. OAH considers all relevant facts and circumstances in determining whether good cause exists to grant an extension. (See Cal. Rules of Court, rule 3.1332(d).)

The parties' motion to continue the hearing demonstrated good cause for a continuance, based on their request to mediate Student's complaint and the non-expedited portions of Manteca's complaint. Special education law supports mediation. (20 U.S.C. § 1415(e).) Accordingly, the request for continuance is granted.

ORDER

1. The Joint Motion to Consolidate is granted.
2. Student's Case is designated as the primary case. All non-expedited dates previously set in Manteca Case, OAH case number 2026070274, are vacated.
3. The Joint Motion to Continue is granted.
4. Mediation in the above-captioned case shall be held on August 24, 2026, from 9:00 AM to 4:30 PM, by videoconference or telephone.
5. The Non-Expedited Prehearing Conference in the consolidated cases shall be held on August 31, 2026, at 3:00 PM by videoconference or telephone.
6. The Non-Expedited Due Process Hearing in the consolidated cases shall be held on September 9 and 10, 2026, beginning at 9:30 AM on all days, continuing day to day as needed at the discretion of the ALJ. The Non-

Expedited Due Process Hearing shall be held by videoconference or telephone.

7. The 45-day timeline for issuance of the Decision in the non-expedited portions of the consolidated case shall be based on the date of the filing of the complaint in Student's Case, OAH case number 2026070481.
8. Consolidation does not affect the timeline for issuance of the Decision for the expedited portion of Manteca's complaint.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi

Administrative Law Judge

Office of Administrative Hearings