

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

WESTSIDE UNION SCHOOL DISTRICT,

OAH CASE NUMBER 2026061347

OAH CASE NUMBER 2026071017

ORDER GRANTING MOTION TO CONSOLIDATE AND
CONTINUANCE

AUGUST 4, 2026

On June 29, 2026, Parent on behalf of Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2026061347, Student's Case, naming Westside Union School District, called Westside. The Office of Administrative Hearings is called OAH.

On July 23, 2026, Westside filed a Request for Due Process Hearing in OAH case number 2026071017, Westside's Case, naming Student. On July 23, 2026, Westside also filed a Motion to Consolidate the cases. Student did not file a response to the motion.

On July 29, 2026, the parties filed a joint request to schedule mediation and continue the hearing dates in Westside's case. On July 31, 2026, OAH granted the request and continued the due process hearing to September 22, through 24, 2026.

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 appropriateness of the occupational therapy and language and speech assessments performed in 2025 and 2026. Student did not oppose the motion. In addition, consolidation furthers the interests of judicial economy because the cases involve the same evidence and witnesses. 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 jointly filed a request for mediation and continuance of the due process hearing to the dates in Westside's Case after the Motion to Consolidate was filed. OAH granted the request for mediation and continuance. Student's case is designated as the primary case for calculating the timeline in the consolidated matter. There is good cause, however, to vacate the dates in Student's case and grant a continuance to the dates set in Westside's case to merit the parties to mediate on their desired date.

ORDER

1. Westside's Motion to Consolidate is granted.
 2. Student's Case is designated as the primary case.
 3. The consolidated cases are continued to the dates set in Westside's case.
- Thus, the dates set in Student's case are vacated. Mediation in the above-captioned case shall be held on August 20, 2026, at 1:30 PM, the Prehearing Conference in the consolidated cases shall be held on September 11, 2026, at 1:00 PM, and the Due Process Hearing in the consolidated cases shall be held on September 22, through September 24, 2026, beginning at 9:30 AM on all days, continuing day to day as needed at the discretion of the Administrative Law Judge.

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 Student's Case, OAH case number 2026061347.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (Aug 6, 2026 08:09:18 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings