

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENTS ON BEHALF OF STUDENT,

and

HUNTINGTON BEACH CITY SCHOOL DISTRICT.

OAH CASE NUMBER 2026090357

OAH CASE NUMBER 2026070187

ORDER FOLLOWING PREHEARING CONFERENCE FOR
HEARING BY VIDEOCONFERENCE GRANTING MOTION TO
CONSOLIDATE

SEPTEMBER 14, 2026

On September 14, 2026, Administrative Law Judge Ashok Pathi, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorney Damian Fragoso appeared on behalf of Student. Attorney Karen Van Dijk appeared on behalf of Huntington Beach City School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

STUDENT'S MOTION TO CONSOLIDATE

On July 6, 2026, Huntington filed a Request for Due Process Hearing in OAH case number 2026070187, called Huntington's Case, naming Student.

On September 9, 2026, Student filed a Request for Due Process Hearing in OAH case number 2026090357, called Student's Case, naming Huntington. That same day, Student filed a motion to consolidate Student's Case and Huntington's Case.

On September 10, 2026, Huntington filed a non-opposition to Student's motion. As explained below, Student's motion is granted.

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 triennial assessments conducted during the 2025-2026 school year. 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.

ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case is designated as the primary case.
3. All dates previously set in Huntington's Case, OAH case number 2026070187, are vacated.
4. The 45-day timeline for issuance of the Decision in the consolidated case shall be based on the date of the filing of the complaint in Student's Case, OAH case number 2026090357.
5. All other prehearing matters will be addressed in the prehearing conference as scheduled in the primary case.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi

Administrative Law Judge

Office of Administrative Hearings