BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. SALINAS UNION HIGH SCHOOL DISTRICT,	OAH Case No. 2019010390
SALINAS UNION HIGH SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2019011048 ORDER GRANTING MOTION TO CONSOLIDATE

On January 10, 2019, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2019010390 (Student's Case), naming Salinas Union High School District.

On January 28, 2019, Salinas filed a Request for Due Process Hearing in OAH case number 2019020520 (District's Case), naming Student.

On February 13, 2019, the parties filed a Joint Motion to Consolidate Student's Case with District's Case.

Consolidation

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; 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, Student's Case and District's Case involve a common question of law or fact. Student's case and district's case each involve the issue of the sufficiency of an assessment conducted by Salinas. Accordingly, consolidation is granted.

ORDER

1. The parties' Joint Motion to Consolidate is granted.

2. Because the scheduling order for Student's case and district's case involve the same dates, all dates remain as scheduled.

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 OAH Case Number 2019010390, Student's case.

IT IS SO ORDERED.

DATE: February 15, 2019

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Rita Defilippis
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RITA DEFILIPPIS
Administrative Law Judge
Office of Administrative Hearings