BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. SNOWLINE JOINT UNIFIED SCHOOL DISTRICT AND ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT,	OAH Case No. 2017040093
SNOWLINE JOINT UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017070529 ORDER GRANTING MOTION TO CONSOLIDATE

On June 30, 2017, Student filed with the Office of Administrative Hearings a Third Amended Request for Due Process Hearing in OAH Case Number 2017040093 (Student's Case), naming Snowline Joint Unified School District and Antelope Valley Union High School District.

On July 12, 2017, Snowline filed a Request for Due Process Hearing in OAH Case Number 2017070529 (Snowline's Case), naming Student.

On July 25, 2017, Student filed a Motion to Consolidate Student's Case with Snowline's Case and to continue the due process hearing date set in Snowline's Case to align with the due process hearing date set in Student's Case.

On July 28, 2017, Antelope Valley filed an opposition to the consolidation request. Snowline has not filed a response to the motion.

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 Snowline's Case involve a common question of law or fact, specifically, whether the psychoeducational, language and speech, and occupational therapy assessments Snowline conducted in spring 2017 and reviewed at the June 6, 2017 IEP team meeting were appropriate. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2017070529 (Snowline's Case) are vacated. The telephonic prehearing conference and due process hearing shall be held on the dates and times currently set for the non-expedited portion of OAH Case Number 2017040093 (Student's Case).
3. The 45-day timeline for issuance of the decision in the non-expedited portion of the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2017040093 (Student's Case).

IT IS SO ORDERED.

DATE: July 28, 2017

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Kara Hatfield
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KARA HATFIELD
Administrative Law Judge
Office of Administrative Hearings