

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2013090732

v.

PLACER UNION HIGH SCHOOL DISTRICT  
AND NEVADA JOINT UNION HIGH  
SCHOOL DISTRICT,

---

PLACER UNION HIGH SCHOOL DISTRICT,

OAH CASE NO. 2013100830

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING MOTION TO  
CONSOLIDATE

On September 24, 2013, Parent on behalf of Student (Student) filed a Request for Due Process Hearing in OAH case number 2013090732 (First Case), naming the Placer Union High School District (Placer) and the Nevada Joint Union High School District (Nevada) as respondents..

On October 22, 2013, Placer filed a Request for Due Process Hearing in OAH case number 2013100830 (Second Case), naming Student as respondent.

On October 22, 2013, Student and Placer filed a joint motion to consolidate the first and second cases.<sup>1</sup> On October 23, 2013, Nevada filed a non-opposition to the motion to consolidate the first and second cases.

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

---

<sup>1</sup> The pleading is entitled a stipulated request to consolidate.

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, the First Case and Second Case involve a common question of law or fact. Student's complaint raises issues whether Student received a free appropriate public education during the 2011-2012, 2012-2013 and 2013-2014 school years. Placer's complaint contains a single issue which whether Student's annual and transition plan IEP's, which took place on September 11 and 25, 2013 and October 8, 2013, were appropriate. Here, there is no opposition to the motion to consolidate. In addition, consolidation furthers the interests of judicial economy as it will promote judicial economy. Accordingly, consolidation is granted.

#### ORDER

1. The joint motion of Student and Placer to consolidate is granted.
2. All dates previously set in OAH case number 2013090732 [First Case] are vacated. The consolidate case will proceed pursuant to the scheduling order in the OAH case number 2013100830 [Second Case].
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 2013100830 [Second Case].

Dated: October 25, 2013

/s/

---

ROBERT HELFAND  
Administrative Law Judge  
Office of Administrative Hearings