

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

GREENFIELD UNION SCHOOL
DISTRICT AND SOUTH MONTEREY
COUNTY JOINT UNION HIGH SCHOOL
DISTRICT.

OAH Case No. 2015120609

ORDER DENYING MOTION TO
CONSOLIDATE AS MOOT

On December 11, 2015, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2015120609 (Student's Case), naming Greenfield Union School District and South Monterey County Joint Union High School District.

On March 25, 2016, South Monterey filed a Request for Due Process Hearing in OAH case number 2016031339 (District's Case), naming Student. South Monterey sought adjudication of its right to assess Student.

On March 25, 2016, South Monterey filed a Motion to Consolidate District's Case with Student's Case. Student did not file a response.

On March 30, 2016, Student filed a Motion to Dismiss District's Case as moot because Student signed District's proposed assessment plan on March 30, 2016.

On April 1, 2016, South Monterey filed a Notice of Withdrawal of District's Case.

APPLICABLE LAW

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].)

DISCUSSION AND ORDER

Having withdrawn its request for hearing, South Monterey's Motion to Consolidate is now moot. Accordingly, consolidation is denied. Student's Case will proceed as previously calendared.

IT IS SO ORDERED.

DATE: April 1, 2016

DocuSigned by:

Theresa Ravandi

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THERESA RAVANDI

Administrative Law Judge

Office of Administrative Hearings