

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

STUDENT,

v.

REDONDO BEACH UNIFIED SCHOOL
DISTRICT,

OAH Case No. 2016030992 (Primary)

REDONDO BEACH UNIFIED SCHOOL
DISTRICT,

v.

STUDENT.

OAH Case No. 2016040420

ORDER GRANTING MOTION TO
CONSOLIDATE

On March 18, 2016, Student, an adult, filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2016030992 (Student's Case), naming Redondo Beach Unified School District.

On April 11, 2016, District filed a Request for Due Process Hearing in OAH case number 2016040420 (District's Case), naming Student.

On April 11, 2016, District filed a Motion to Consolidate Student's Case with District's Case.

Student did not file 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, District's Case and Student's Case involve a common question of law or fact, specifically, the appropriateness of District's psychoeducational and transition assessments, dated March 25, 2014. Student does not oppose the motion. In addition, consolidation furthers the interests of judicial economy because a consolidated hearing will save time, and avoid inconsistent findings and conclusions regarding the appropriateness of the assessments.

ORDER

1. District's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2016040420 (District's Case) are vacated.
3. The above-captioned case shall be held on the dates in OAH's April 7, 2016 continuance order for Student's Case: Mediation shall be on June 2, 2016, at 9:30 a.m. The Prehearing Conference in the consolidated cases shall be held on June 24, 2016, at 10:00 a.m., and the Due Process Hearing in the consolidated cases shall be held on July 5 through 7, 2016 at 1:30 p.m. on the first day, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.
4. 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 2016030992 (Student's Case).

IT IS SO ORDERED.

DATE: April 15, 2016

DocuSigned by:

Caroline Zuk

CAROLINE A. ZUK

Administrative Law Judge

Office of Administrative Hearings