

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

STUDENT,

v.

ROSEVILLE JOINT UNION HIGH SCHOOL  
DISTRICT ,

OAH Case No. 2015030774

ROSEVILLE JOINT UNION HIGH SCHOOL  
DISTRICT ,

v.

STUDENT.

OAH Case No. 2015041245

ORDER GRANTING MOTION TO  
CONSOLIDATE

On March 16, 2015, Student filed a due process hearing request in OAH case number 2015030774 (Student's Case), naming Roseville Joint Union High School District as respondent.

On May 6, 2015, Roseville Joint Union High School District filed a due process hearing request in OAH case number 2015041245 (Roseville's Case), naming Student as respondent.

On May 6, 2015, Roseville filed a Motion to Consolidate Student's case with Roseville's case. Student did not respond to the motion.

APPLICABLE LAW

No statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases; however, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidating 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

Here, Student's case and Roseville's case involve common question of law or fact. Specifically, both cases seek a determination regarding whether or not Student was offered a free appropriate public education in the least restrictive environment for the 2014-2015 school year. Student did not oppose the motion. Additionally, consolidation furthers the interests of judicial economy because likely many of the same witnesses will be called in each case. Accordingly, consolidation is granted.

## ORDER

1. Roseville's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2015041245 [Roseville's Case] are vacated.]
3. The dates previously set in OAH Case Number 2015030774 [Student's Case] are to remain on calendar as follows:  
Prehearing Conference on May 22, 2015, at 3:00 PM.  
Due Process Hearing on June 2, 2015, from 9:30 AM to 5:00 PM;  
June 3-4, 2015, from 9:00 AM to 5:00 PM; and day-to-day thereafter, Monday through Thursday at the discretion of the Administrative Law Judge.
4. The applicable timeline for issuing a decision in the consolidated cases shall be based on the date the complaint was filed in in OAH Case Number 2015030774 [Student's Case].

IT IS SO ORDERED

DATE: May 13, 2015

/s/

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JOY REDMON  
Administrative Law Judge  
Office of Administrative Hearings