

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. LOOMIS ELEMENTARY SCHOOL DISTRICT,	OAH Case No. 2016030514
LOOMIS ELEMENTARY SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2016030889 ORDER GRANTING STIPULATION TO CONSOLIDATE

On March 7, 2016, Parents on behalf of Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH Case Number 2016030514 (Student’s Case), naming Loomis Elementary School District.

On March 16, 2015, Loomis filed with OAH a Request for Due Process Hearing in OAH Case Number 2016030889 (District’s Case), naming Student.

On March 23, 2016, both parties jointly filed a Stipulation to Consolidate Student’s Case with District’s Case.

Consolidation and Discussion

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 District's Case involve a common question of law or fact, specifically, whether the District's proposed Individualized Education Program for school year 2015-2016 provides a free appropriate public education to Student. Both parties are in favor of consolidation. Accordingly, consolidation is granted.

ORDER

1. The Stipulation to Consolidate is granted. Student's case (OAH Case Number 2016030514) shall be deemed the primary case.
2. The consolidated matter shall proceed pursuant to the Scheduling Order dated March 11, 2016 in Student's case (OAH Case Number 2016030514). All dates previously set in District's case (OAH Case Number 2016030889) are vacated.
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 Student's case (OAH Case Number 2016030514).

DATE: March 24, 2016

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings