

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2014051242

v.

PASADENA UNIFIED SCHOOL DISTRICT,

PASADENA UNIFIED SCHOOL DISTRICT,

OAH CASE NO. 2014050821

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING MOTION TO
CONSOLIDATE

On May 15, 2014, the Pasadena Unified School District (Pasadena) filed a request for a due process hearing in OAH case number 2014050821 (First Case), naming Student and Student's parent (Student).

On May 23, 2014, Student filed a request for a due process hearing in OAH case number 2014051242 (Second Case), naming Pasadena.

On May 23, 2014, Student filed a Motion to Consolidate the First Case with the Second Case. On May 29, 2014, Pasadena filed a notice of non-opposition to Student's motion.

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, the First Case and Second Case involve common questions of law or fact, including the question of whether Pasadena offered and provided a free appropriate public education to Student. Consolidation will further the interests of judicial economy and convenience of witnesses, and Pasadena does not oppose the motion. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2014050821 [First Case] 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 OAH Case Number 2014051242 [Second Case].

DATE: May 30, 2014

/s/

SUSAN RUFF
Administrative Law Judge
Office of Administrative Hearings