

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Glastonbury Board of Education

On behalf of the Parents:

Mother, *Pro Se*

On behalf of the Board of Education:

**Attorney Susan C. Freedman
Shipman & Goodwin LLP
One American Row
Hartford, CT 06103-2819**

Hearing Officer:

Stacy M. Owens, Esq.

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's proposed educational placement and program can provide the Student a free and appropriate public education.
2. Whether the Student should be placed at Klingberg full-time.

(these issues are based solely upon the information provided in the Parent's request for hearing)

SUMMARY/PROCEDURAL HISTORY

On February 23, 2004, the State of Connecticut Department of Education received a request for hearing from the Parent. On the same day, the undersigned was appointed as hearing officer to preside over the hearing, rule on all motions, determine findings of fact and conclusions of law, and issue an order.

By letter dated February 26, 2004, a prehearing conference was scheduled for March 4, 2004. Attorney Susan C. Freedman responded by letter dated February 26, 2004, indicating she was representing the Board in the above-referenced matter and stated she would be available for the prehearing conference scheduled for March 4, 2004 and provided a contact number.

On March 3, 2004, the Parent sent a letter to the undersigned via facsimile stating:

I spoke with Gary Nolfé from Glastonbury Public Schools this morning. He informed me that they were going to settle and agreed to pay for [the Student's] education at Klingberg. We will be setting up a ppt to discuss [the Student's] return to Smith Middle School. Thank you for your prompt attention to this matter and call me if you have any questions.

The letter did not indicate the Parent wanted to withdraw her request for hearing.

Neither party could be reached for the prehearing conference scheduled on March 4, 2004.

CONCLUSIONS OF LAW

In accordance with Section 10-76h-18(a)(2) of the Regulations of the Connecticut State Agencies, “. . . the hearing officer may order, sua sponte, . . . dismissal of a hearing for failure of any party to participate in the prehearing conference . . .”

FINAL DECISION AND ORDER

Based on the Parent's failure to withdraw her complaint and the failure of the parties to participate in the prehearing conference, this matter is **dismissed without prejudice**.