

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Windham Board of Education

Appearing on Behalf of the Parent: Parent Pro Se

Appearing on Behalf of the Board: Jeffrey Forman, Director of Special Education
Windham Board of Education
322 Prospect Street
Willimantic, CT 06226

Appearing before: Attorney Gail K. Mangs, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Has the Board provided an appropriate program?

FINDINGS OF FACT:

1. This hearing was requested on April 23, 2003. The prehearing conference was convened on April 30, 2003; the Parent did not appear although the time and date were coordinated with the Parent by mail and confirmed by telephone. During the prehearing conference, the Board representative stated that a meeting was scheduled with the Parent to give her an opportunity to discuss her concerns. A thirty day continuance was requested by the Board and granted; a hearing date was set for June 11, 2003. During the subsequent telephone call with the Parent, the Parent confirmed for the hearing officer that a meeting was scheduled; the Parent concurred with the continuance and the hearing date. (Exhibit H.O. 1)
2. There was no communication between the parties and the hearing officer until a letter from the Parent, dated June 5, 2003, was received by the hearing officer. In the letter, the Parent stated that she wanted the hearing to go forward on June 11, 2003 as the matter was still unresolved. (Exhibit H.O. 2)

3. On June 11, 2003, neither the Parent nor the Board representative appeared for the hearing. By telephone, the Board representative stated that he believed the matter had been resolved and that the Parent had withdrawn the hearing request. Also by telephone, the Parent stated that she had forgotten that June 11 was the scheduled hearing date. She did not request that the hearing be rescheduled nor did she request that the hearing go forward on that date. The hearing officer informed her that the hearing would therefore be dismissed without prejudice for her to refile, should she so decide, and also described the mediation process. The Board representative was similarly informed. This information was put on the record of the hearing.

FINAL DECISION AND ORDER:

1. The Parent, who has the burden of going forward, has completely failed to go forward with her case.
2. This hearing is dismissed without prejudice.