

Before the
Administrative Hearing Commission
State of Missouri



Petitioner,)
)
)
vs.) No. 13-0938 ED
)
SPECIAL SCHOOL DISTRICT OF ST. LOUIS)
COUNTY,)
)
Respondent.)
)
)

ORDER

On May 30, 2013, [redacted] filed a due process complaint on behalf of [redacted] (“Student”) against the Special School District of St. Louis County (“District”). We sent both parties a notice of pre-hearing conference, notice of hearing, and ordered each to file a prehearing conference statement with this Commission three days before the pre-hearing conference, which we scheduled for June 12, 2013.

On June 3, 2013, the District filed a notice of insufficiency. We declined to dismiss the complaint on that ground, but ordered Student to address these points in her pre-hearing conference statement to be filed on or before June 10, 2013, and notified the District it did not have to file a pre-hearing conference statement at this time. Student has never filed a pre-hearing conference statement.

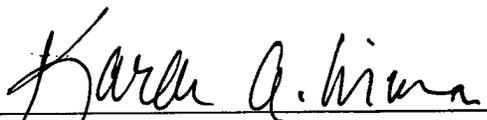
On June 7, 2013, the District filed a response to Student's complaint, in which it represented that a resolution meeting was scheduled for June 13, 2013. We ordered the District to file a report as to the status of the resolution process on or before June 18, 2013.

On June 12, 2013, we attempted to hold a pre-hearing conference with the parties. Although Student's parent answered her telephone, she declined to participate. We issued an order on that date informing Student that if she wished to pursue this appeal, she must file a notice of her intent to do so on or before June 18, 2013, and that if she did not, we would dismiss this case pursuant to 1 CSR 3.425(1)(A) and 1 CSR 15-3.436(1)(C). Student has filed nothing.

The District filed its status report on June 14, 2013. It reported that Student's parent did not appear at its scheduled resolution meeting, and moved for dismissal of Student's complaint.

Student has failed to comply with two orders of this Commission, after having been notified that her failure to comply with our orders would lead to dismissal of this case. Moreover, she has demonstrated a lack of interest in pursuing the appeal or engaging with the School District for the purpose of resolving the issues in her complaint. Accordingly, we cancel the hearing scheduled for June 24-25, 2013 and dismiss the complaint.

SO ORDERED on June 19, 2013.


KAREN A. WINN
Commissioner