

Before the
Administrative Hearing Commission
State of Missouri



, IN THE INTEREST)
OF,)
)
Petitioner,)
)
vs.) No. 14-1253 ED
)
KANSAS CITY 33 SCHOOL DISTRICT,)
)
Respondent.)

ORDER

On July 25, 2014, (“Mother”) filed a due process complaint in the interest of her daughter (“Student”). On August 11, 2014, Mother filed an amended complaint, which started a new resolution period. 34 CFR § 300.508(d)(4). On August 15, 2014, we held a pre-hearing conference. On August 19, 2014, we issued an order requiring the parties to make good faith efforts to resolve the issues during the resolution period, and ordering the parties to consider whether to engage in mediation.

On August 28, 2014, the Kansas City 33 School District (“the District”) filed a motion to dismiss. The District argued that, despite its efforts, Mother has refused to attend a resolution meeting. We gave Mother until September 8, 2014, to respond to the motion, but she did not respond.

In our order issued August 29, 2014, we found that the District had prematurely filed its motion to dismiss, because it filed the motion before the end of the resolution period, September 10, 2014. 34 CFR § 300.510(b). We denied the motion to dismiss and ordered Mother to participate in the resolution meeting on or before September 10, 2014. We stated, that if Mother refused to participate, the District may, at the end of the resolution period, renew its motion to dismiss.

On September 11, 2014, the District filed a motion to dismiss stating that, despite its efforts, Mother had refused to participate in a resolution meeting. We gave Mother until September 15, 2014, to respond to the motion, but she failed to respond.

We dismiss this case for Mother's failure to follow our order. We cancel the hearing.

SO ORDERED on September 16, 2014.

SREENIVASA RAO DANDAMUDI
Commissioner