

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION

IDPH-FY-07-06-073 / School District

PRE-HEARING CONFERENCE  
REPORT AND FINAL ORDER

On June 22, 2007, the Department of Education received a request for hearing from the \_\_\_\_\_ School District (District) to determine placement for the above named student for the upcoming school year. Mediation was held and pre-hearing conference was set for July 25, 2007. On July 23, 2007, the student's parent requested a continuance because of unavailability and this was granted over the objection of the School and a new conference date was set for August 3, 2007. The parties were alerted that this was a mandatory conference and failure to attend would result in a default judgment. On August 2, 2007, the hearing officer was the sole recipient of an email indicating that the parent was otherwise engaged and could not attend the pre-hearing conference on August 3, 2007.

Katherine Bubar, Esq. represented \_\_\_\_\_, Special Services Coordinator, at the pre-hearing conference on August 3, 2007. Ms. Bubar was prepared with core exhibits, witness lists and pre-hearing conference statement. Neither the parent nor a representative of the parent attended. After listening to an explanation of the placement being arranged for the student in a school in Nashua approved for special education students, a bench order was issued as the parent had defaulted. The tape of the conference is available to the parent.

ORDER

Placement of the student is a critical matter as the beginning of the school year is imminent. This document memorializes the decision announced at the conclusion of the pre-hearing conference on August 3, 2007 to allow the School District to proceed, without hearing, to timely place the student in the program in Nashua described at the conference referenced above.

August 5, 2007

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Gail Morrison, Hearing Officer