

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Newington Board of Education

Appearing on behalf of the Student: Parent, Pro Se

Appearing on behalf of the Board: Attorney Nicole Bernabo  
Sullivan, Schoen, Campane & Connon, LLC  
646 Prospect Avenue  
Hartford, CT 06105-4286

Appearing before: Attorney Christine B. Spak  
Hearing Officer

**FINAL DECISION AND ORDER**

A prehearing conference was conducted on September 15, 2003 and both parties participated. The parties agreed that at the time of filing of this request for due process and continuing through the date of this prehearing conference the parties were involved in another due process matter involving the same student. Additional future hearing dates were scheduled in that matter.

During the extensive prehearing conference the parties disagreed on a number of points. One of the points of disagreement involved the threshold question of whether the issues in the instant case were already under consideration in the ongoing matter, or should be by consolidation. The parent maintained that the other issues were specifically excluded from consideration by the Hearing Officer in the other due process matter and the Board maintained that they were specifically included by the Hearing Officer in the other due process matter. Both believed that the record in the other matter supported their position.

A hearing date in the instant matter was set for October 9, 2003 and the parties were given until October 2, 2003 to present whatever documentation they had that would support their position. Nothing was received after this point from the parent. The Board submitted a *Motion to Consolidate* and two documents from the other due process proceeding, both of which supported the Board's request that all issues be consolidated into that one already ongoing hearing. The first was a *Notice and Interim Rulings* dated September 9, 2003 from the other Hearing Officer in which the Board's request to consolidate the issues "submitted by the Parent in the correspondence to Marty Hartranft requesting, *inter alia*, a second hearing with this hearing is hereby **GRANTED**, subject

to the appointed hearing officer's granting of a separate Motion to Consolidate." State of CT Due Process Case No. 03-219, Notice and Interim Rulings, September 9, 2003, paragraph III. The second document was a *Notice regarding Board's Motion to Consolidate*, dated September 15, 2003, reiterating the conditional granting of the September 9, 2003 Motion to Consolidate and clarifying that the same year of educational services were at issue in both cases, and further, that the issues in the instant case (No. 03-285) appear to relate to the Interim Rulings issued by the Hearing Officer in the ongoing case, No. 03-219.

**FINAL DECISION AND ORDER:**

This hearing is dismissed so that the conditional granting of the Motion to Consolidate by the Hearing Officer in the other ongoing matter (No. 03-219) may become final.