

Sec. 10-76h-18. Default or dismissal

(a) Any party may move for, or the hearing officer may order, sua sponte, an entry of default in or dismissal of a hearing for failure of any party:

- (1) to prosecute a hearing;
- (2) to participate in the prehearing conference;
- (3) to comply with sections 10-76h-1 to 10-76h-18 of the Regulations of Connecticut State Agencies;
- (4) to comply with a ruling issued by the hearing officer before a final decision is rendered;
- (5) to state a claim for which relief can be granted;
- (6) to sustain its burden after presentation of the evidence; or
- (7) to appear at a properly noticed scheduled hearing.

The hearing officer may grant the motion with or without prejudice.

(b) Upon granting a motion for default, a hearing officer may take evidence and issue such orders as may be necessary, including but not limited to ordering an educational placement for the child.

(Adopted effective July 1, 2000)