

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Enfield Board of Education

Appearing on behalf of the Parents: Father, pro se

Appearing on behalf of the Enfield Board of Education: Atty. Rebecca R. Santiago,
Shipman & Goodwin LLP, One Constitution Plaza, Hartford, CT 06103-1919

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

This hearing was requested on March 20, 2007 by the Parents (Father), who sent a form to the State Department of Education ("SDE"). The Board's attorney received the hearing request on March 21. This Hearing Officer was assigned to the case on that date. On March 23, the Board's attorney submitted a sufficiency challenge to the hearing request. On March 30, the Hearing Officer found that the hearing request did not meet the notice requirements for a hearing in that it was lacking a description of the nature of the problem of the child relating to such proposed initiation or change and a proposed resolution of the problem to the extent known and available to the requesting party at the time. The Parents were given 30 days, or until April 30, in which to file a resubmitted notice with the Hearing Officer.

On April 1 the Father faxed 24 pages of documents to the Hearing Officer, along with a letter stating that the Parents wished to have the Hearing Officer interview the Student and to allow the Parents to cross-examine the Board's staff under oath. On April 11, the Hearing Officer wrote to the parties and advised the Parents that the April 1 submission did not comply with the Response to the Board's Sufficiency Challenge. The Parents were advised again that they had until April 30 to submit an appropriate hearing request. On April 12, the Board's attorney filed a motion to dismiss because the Parent has failed to set forth any cognizable claim that a Hearing Officer would have jurisdiction to decide in an impartial special education hearing held pursuant to the Individuals with Disabilities in Education Act (IDEA). The Parents have not filed any response to the

motion to dismiss, nor have they resubmitted a hearing request within the time allowed that meets the requirements of IDEA.

FINAL DECISION AND ORDER

The Board's motion is granted, and it is ordered that this case shall be dismissed.