

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Bridgeport Board of Education

Appearing on behalf of the Student: Parent, Pro Se

Appearing on behalf of the Board: Attorney Susan C. Freedman
Attorney Gwen J. Zittoun
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Ann F. Bird, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Did the Bridgeport Board of Education discriminate against the Student?

PROCEDURAL HISTORY:

The Student's Parent filed this due process case on June 27, 2013. This Impartial Hearing Officer was appointed to the matter on June 27, 2013. Attorneys Susan Freedman and Gwen Zittoun appeared on behalf of the Board of Education. A prehearing conference was attempted on July 17, 2013 pursuant to a notice sent to the parties via U.S. Mail. This Impartial Hearing Officer was, however, unable to conduct the prehearing conference because the telephone number provided for the Student's Parent was no longer in service.

The Board of Education provided a second possible telephone number for the Student's Parent. The second possible telephone number, however, was also not in service. On July 24, 2013, a second Notice of Prehearing Conference (Notice) was mailed to the address provided for the Parent, scheduling a conference for July 31, 2013 at 9:30 a.m.. This Notice included the following specific message to the parent: "You must contact me with a working telephone number that I can use to call you for the prehearing conference no later than the day and time of the conference!"

The Parent did not respond to the Notice or contact this Impartial Hearing Officer. Neither the Notice nor any other communication was returned to the Impartial Hearing Officer as undelivered to the Parent.

On July 15, 2013, the Board of Education filed a Motion to Dismiss on the grounds that the Impartial Hearing Officer lacks jurisdiction over the substance of the complaint and that the Student's Parent has no standing to file the case because the Student is over twenty-one years of

August 2, 2013

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age and has a plenary guardian other than the Parent. The Board of Education's Motion to Dismiss was also sent to the Parent as well as to the Student's plenary guardian via U.S. Mail.

The Parent did not respond or object to the Board of Education's Motion to Dismiss.

FINAL DECISION AND ORDER:

It is ordered that the Parent's request for due process is dismissed without prejudice.