

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Danbury Board of Education

Appearing on behalf of the Student:

None

Appearing on behalf of the Board:

Attorney Julie Fay
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY:

This matter was initiated as a special education due process case by Request for Impartial Hearing sent by Peter G. Albert (“Albert”) and Patrick Donohue (“Donohue”) purportedly on behalf of a student to the Director of Special Education of the Danbury Public Schools dated August 19, 2020. This Impartial Hearing Officer was assigned to the case on August 28, 2020.

On September 1, 2020, Attorney Julie Fay submitted a Motion to Dismiss/Sufficiency Challenge on behalf of the Danbury Board of Education.

On September 1, 2020, the Hearing Officer issued an Order to Show Cause why the matter should not be dismissed pursuant to the provisions of the Regulations of Connecticut State Agencies, Section 10-76h-11 (“Section 10-76h-11”) on or before September 10, 2020. Albert requested an extension of the deadline for compliance with the Order to Show Cause, which was denied after objection by the Board of Education.

Neither Albert nor Donohue complied with the Order to Show Cause.

An investigation of the records of the State of Connecticut Judicial Department reflects that neither Albert nor Donohue is authorized to practice law in the Superior Court of the State of Connecticut. In addition, the State of Connecticut Department of Education’s Due Process Unit advises that it has not received an appearance of a sponsoring attorney for Albert or Donohue, an appearance for Albert or Donohue or an affidavit as required by Section 10-76h-11. Nor have any such items been provided to the Hearing Officer.

Accordingly, this matter must be dismissed as it has not been initiated by a student, a student's parent, or an attorney authorized to practice law in the Superior Court of the State of Connecticut as required by Section 10-76h-11.

FINAL DECISION AND ORDER:

The matter is dismissed.