

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent: *pro se*

Appearing on behalf of the Board: Michelle Laubin, Esq.
Berchem Moses P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Does the Parent’s continuing failure to file a sufficient complaint in compliance with 34 CFR §508 warrant a dismissal of the complaint?

PROCEDURAL HISTORY/SUMMARY:


The Parent filed the Due Process Complaint dated August 8, 2023. The Hearing Officer was appointed on August 29, 2023 on September 5, 2023. The Hearing Officer granted the Board’s sufficiency challenge after reviewing the Complaint in an Order dated September 7, 2023. The Complaint stated that the Parent had 36 meetings and was told that her son did not meet the qualification. The Complaint further stated in the “proposed resolution” section “Compensation”. The Hearing Officer ordered the Parent to revise the complaint to state specifically what actions or lack of actions of the Board she disagreed with and what resolution she desired as an outcome of the hearing. The Parent wrote back to the Hearing Officer and disagreed with the Hearing Officer. The Parent was directed by the Hearing Officer to seek assistance in filing a Revised Complaint that complied with regulations by September 15, 2023. The Parent neither filed a Revised Complaint as ordered by the Hearing Officer nor respond to the Hearing Officer’s correspondence thereafter. On October 3, 2023, the Board filed a Motion to Dismiss. The Board’s Motion to Dismiss is granted. The Parent’s Complaint did not comply with 34 CFR §508 and did not state a claim pursuant to R.C.S.A. Section 10-76h(a)(5). Further, the Complaint is dismissed for the Parent’s failure to comply with a ruling issued by the Hearing Officer pursuant to R.C.S.A. Section 10-76h-18(a)(4).

FINAL DECISION AND ORDER:

The Complaint is **DISMISSED** with prejudice.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

Sylvia Ho

Hearing Officer Name in Print