

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Appearing on behalf of the Parents: pro se

Appearing on behalf of the Board of Education: Attorney Rebecca Santiago
Shipman and Goodwin
One Constitution Plaza
Hartford, CT. 06103-1919

Appearing before: Attorney Deborah R. Kearns, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

- I. The local education agency claims the parents fail to state a claim which is within the jurisdiction of a due process hearing officer.

PROCEDURAL HISTORY

The Parents made a request for a due process hearing on March 15, 2007. A prehearing conference was scheduled for March 22, 2007. The parents' FAX number was not working, however, upon speaking to the parent regarding the FAX machine malfunction, the parent received telephone notice of the prehearing conference. The Parents did not participate in the prehearing conference held on March 22, 2007. A second notice of request for hearing was sent by the parents on March 24, 2007 which states the matter for dispute is a request for "E.P.S.D. incorporate a conduct notice-parent annotated that conduct notice and requested a mtg it went unanswered by E.P.S.D. its continually falsify information towards our family past and present. P.S. we are contesting the conduct notice issued to our daughter". On March 21, 2007, written notice of an additional conference call scheduled for March 27, 2007, was sent to the parents. The Parents did not participate in the prehearing conference on March 27, 2007. The local education agency states the child is not identified as a disabled child in need of special education and related services. The hearing is dismissed without prejudice for failure to state a claim for which relief can be granted.

FINAL DECISION AND ORDER

1. The case is dismissed without prejudice.