

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Meriden Board of Education

Appearing on behalf of the Student:

Parent

Appearing on behalf of the Board:

Attorney Leander Dolphin  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, Connecticut 06103

Appearing before:

Jane Ford Shaw, Hearing Officer

DISMISSAL

ISSUE:

1. Did the Board deny and/or fail to offer a free appropriate public education (“FAPE”) for the 2018-19 school year by failing to provide supportive services as required by the Student’s Individualized Education Program (“IEP”)?

PROCEDURAL HISTORY/SUMMARY

The Student submitted a request for due process on August 29, 2018. This Impartial Hearing Officer was assigned to the case on August 30, 2018. A pre-hearing conference was noticed for September 17, 2018 and a second pre-hearing conference was noticed for October 5, 2018. The Parent failed to respond to attempts by the Board to schedule a resolution meeting and/or to attend the resolution meeting noticed for September 14, 2018. The Board filed a motion to dismiss in response to the Student’s request for due process on September 14, 2018 alleging the lack of subject matter jurisdiction. The resolution period for this matter expired on September 30, 2018. On October 3, 2018, the Board filed a second motion to dismiss on the supplemental grounds that the Student in effect failed to prosecute their request for due process pursuant to Regs. Conn. State Agencies §10-76h-18 and §§34 C.F.R. 300.510(a)(2), (b)(4). On October 5, 2018, the pre-hearing Conference was conducted. The Board appeared; however, the Parent did not appear.

ORDER

The Student failed to participate in the Resolution Meeting and the Pre-Hearing Conference pursuant to 34 C.F.R. §300.510(a)(1); see also RCSA §§10-76h-3(d); 10-76h-18. Accordingly, the Board’s Motion to Dismiss the request for due process is granted.

The Student’s request for due process is hereby DISMISSED with prejudice.