

In re: Special Education Due Process Case # DP-23-12

ORDER: DISMISSAL OF COMPLAINT WITHOUT PREJUDICE

The Supervisory Union has moved to dismiss this case because Parent lacks standing to pursue the claims alleged in the Due Process Complaint. *See* VSER §2365.1.12(f) (“Rights afforded to parents under these rules transfer to the student when the student turns 18 years of age. All references to ‘parent’ shall be read to refer to a student who has turned 18”).

Because the undisputed facts indicate that Student is now 18 years old, and because the Vermont Probate Court has not appointed Parent as Student’s guardian under relevant Vermont law, the complaint must be dismissed without prejudice.

Dated at Montpelier, Vermont, this 1<sup>st</sup> day of August 2023.

David J. Williams

Due Process Hearing Officer