

**BEFORE THE MISSISSIPPI DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION CASE NO. D05162025-37**

**FINAL ORDER OF DISMISSAL**

This matter was filed by Petitioner effective May 21, 2025 and was assigned to this Hearing Officer by the Mississippi Department of Education. The parties confirmed their intention to waive resolution via email to this Hearing Officer effective May 27, 2025. Respondent submitted its response to this Hearing Officer via email, copied to Petitioner, on May 29, 2025.


A conference was convened via Zoom on June 4, 2025 by this Hearing Officer with the parties. After reviewing the Request for Due Process and Response from Respondent, and after listening to the input of the parties, this Hearing Officer finds that jurisdiction is not proper in this forum. Petitioner filed a Request for Due Process in accordance with Part B of the *Individuals with Disabilities in Education Act of 2004*. Petitioner alleges in the Request for Due Process that the Student was denied access to gifted services. A due process hearing is only available to students with disabilities in accordance with Part B of the *Individuals with Disabilities in Education Act of 2004*. The Purposes of Part B of the *Individuals with Disabilities in Education Act of 2004* include “ensur[ing] that all children with disabilities have available to them a free appropriate public education” and “ensur[ing] that the rights of children with disabilities and their parents are protected”. See 34 C.F.R. § 300.1; *Miss. Admin. Code 7-3:74.19*, State Board Policy Chapter 74, Rule 74.19, § 300.1.

Accordingly, SPECIAL EDUCATION NO. D05162025-37 is dismissed by this Hearing Officer without prejudice. Petitioner may submit a new request for due process to the Mississippi Department of Education if she wishes to do so for special education issues. Further, nothing in this Order shall preclude Petitioner from filing any appropriate complaint in a forum with jurisdiction.

**SO ORDERED** this the 4th day of June, 2025.

*/s/ Amanda Bradley*  
AMANDA BRADLEY  
HEARING OFFICER

cc:

  
Ms. Markeita Brinkley  
Dr. Lisa Bramuchi  
Hon. Arnold Luciano  
Ms. Karen Edwards  
Ms. Mona Spells Adou