

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Case # 01-328

Date of Decision: November 30, 2001

Student v. Ledyard Board of Education

Parent: Pro Se

Appearing on behalf of the Board of Education:

Attorney Jody P. Benbow
Siegel, O'Connor, Schiff &
Zangari, P.C., 171 Orange
Street New Haven, CT 06510

FINAL DECISION AND ORDER

SUMMARY:

The student is a seventeen year-old young man who has been diagnosed as Other Health Impaired ("OHI") and therefore eligible for special education and related services as defined in the Individuals with Disabilities Education Act, 20 U.S.C. Section 1401 et seq.

On or about October 4, 2001, the parent requested a due process hearing to address approximately 12 allegations of violations of IDEA and FERPA by the Board. A prehearing conference was held on October 24, 2001. The Board requested a briefing schedule for a Motion to Dismiss the due process hearing. The Board submitted their Motion to Dismiss and the parent filed an objection to the Motion. On or about November 5, 2001 a request for a 30 day extension in for settlement negotiations was granted. The date for the filing of the decision was extended to December 19, 2001.

Before a ruling on the Motion to Dismiss, the parties came to an agreement and on November 17, 2001 the parent sent a letter to the hearing officer withdrawing his request for a due process hearing with prejudice. The due process hearing is dismissed with prejudice.

FINAL DECISION AND ORDER:

THE DUE PROCESS HEARING IS **DISMISSED** WITH PREJUDICE.