

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. New Haven Board of Education

Appearing on behalf of the Parents: Attorney Mildred Doody
New Haven Legal Assistance
Association, Inc.
426 State Street
New Haven, CT 06510-2018

Appearing on behalf of the Board: Attorney Marsha Belman Moses
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Janis C. Jerman
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Whether a special education evaluation should be conducted for Student K.

SUMMARY:

This special education hearing was requested via letter from Attorney Mildred Doody on behalf of Student K dated January 23, 2007, which was received by the Board on January 24, 2007. The 30-day resolution period ran from January 25, 2007 to February 23, 2007. The parties' scheduled February 14, 2007 resolution meeting was cancelled due to bad weather. The next available date for the parties and appropriate personnel to meet was March 16, 2007.

A pre-hearing conference was held via telephone conference call on February 20, 2007. Attorney Mildred Doody appeared on behalf of Student K and Attorney Marsha Belman Moses appeared on behalf of the New Haven Board of Education.

On February 21, 2007 on behalf of Student K, Attorney Doody made written request for an extension of the mailing date in order to allow the parties to complete the resolution meeting and to accommodate the proposed hearing dates. On behalf of the Board, Attorney Moses did not object to the extension. By order of the under-signed hearing officer, the resolution period was extended through March 16, 2007. The 45-day timeline for the due process hearing began on March 17, 2007. The deadline for mailing the final decision and order was extended to April 30, 2007.

The special education hearing was scheduled to convene on Friday, March 23, Monday, March 26 and Wednesday, March 28, 2007.

Via letter dated March 14, 2007, Attorney Doody on behalf of Student K informed the hearing officer and Attorney Moses on behalf of the Board that the parties had reached a resolution of this matter and indicated that the complaint is being withdrawn with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.