

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. North Branford Board of Education

Appearing on behalf of the Student: *Pro se*

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

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Student was denied reasonable accommodations;
2. Whether the teachers failed to follow the Student's 504 plan; and
3. Whether the grading process used denied the Student his accommodations for his disability.

SUMMARY:

The Board received this request for hearing on June 22, 2009 and prehearing conferences were convened on June 30, 2009, July 15, 2009 and July 22, 2009. At the first prehearing conference, the Board's attorney was unavailable. At the second prehearing conference the Parent indicated that her attorney had serious medical issues and was not available. The third prehearing conference was held after time was provided to the Parent to retain substitute counsel. No substitute counsel was obtained by the Parent at the time of the third prehearing conference.

The hearing date was scheduled for September 10, 2009. The Board submitted a Motion to Dismiss on August 10, 2009 and the hearing on the Motion was set for this first hearing date so that evidence relevant to the Motion to Dismiss could be heard.

On September 8, 2009, the Parent submitted notification that they were unable to obtain legal representation, that the Student was currently enrolled in college and they were not proceeding with this case.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.