

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Bridgeport Board of Education

Appearing on Behalf of Parents: Catherine Cushman, Esq.
Connecticut Legal Services

Appearing on Behalf of the Board: Susan Freedman, Esq.
Shipman & Goodwin

Appearing Before: Ruben E. Acosta, Esq.-Hearing Officer

ISSUES:

Was the Student receiving a free and appropriate education public education as as required by the Individuals With Disabilities Education Act, 20 U.S.C. § 1402 et seq. and Connecticut General Statutes § 10-76a ?

FINAL DECISION AND ORDER

On May 21, 2008, the undersigned hearing officer was assigned to hear this matter pursuant to a request for due process hearing. The Student was initially represented by his mother, however, on June 4, 2008, Connecticut Legal Services agreed to represent her. Attorney Catherine Cushman was assigned to the case and she immediately requested a two week period to request and review the Student's records. The scheduling of the pre-hearing conference was held in abeyance pending Attorney Cushman's review. She met with her client on June 27, 2008, after reviewing the Student's educational records and indicated that she was waiting to receive the Student's medical records.

Due to complications the review process took longer than expected and on July 11, 2008, the Hearing Officer was informed that a plan was in place for the Student to receive a psychiatric consultation regarding his medications. Attorney Cushman informed the Hearing Officer that the mother had missed the initial doctor's appointment and was re-scheduling the same. Attorney Cushman indicated that she had difficulties contacting the mother. She also indicated that after the consultation was completed she was going to meet with the Board's representative, Dr. Pamela Rosenberg, for a resolution meeting.

Since no date certain was provided for the re-scheduling of the psychiatric appointment, on July 17, 2008, the undersigned conferred with the parties and scheduled

a pre-hearing conference for July 30, 2008. As of July 24, 2008, the Board retained the services of Attorney Susan Freedman and the hearing was re-scheduled for August 13, 2008. Based on the discussions at the pre-hearing conference, on August 14, 2008, the request for a due process hearing was withdrawn without prejudice.

FINAL DECISION AND ORDER

The matter is withdrawn without prejudice pursuant to counsel's August 14, 2008 letter.