

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bloomfield Board of Education

Appearing for the Student: Mother, appearing *pro se*

Appearing for the Board: Appearing *pro se* through Deirdre Osypuk  
Director of Pupil Services  
Bloomfield Board of Education  
1133 Blue Hills Avenue  
Bloomfield, CT 06002

Appearing Before: Scott Myers, J.D., M.A. (Clinical Psychology), Hearing Officer

**FINAL DECISION AND ORDER**

This matter was commenced by request for due process dated June 11, 2009 filed by the Student's mother (the "Mother") on behalf of the Student. The undersigned was appointed as Hearing Officer on June 17, 2009. The Student attends an out-of-district placement and the Mother sought a hearing challenging the decision of District staff at an IEP team meeting in June 2009 regarding extended school year ("ESY") services for the Student for the summer of 2009 at the out-of-district placement. There is no dispute regarding the Student's eligibility for special education and related services under the IDEA and Connecticut's special education laws, Conn. Gen. Stat. § 10-76h, *et seq.* No sufficiency challenge or answer was filed, and a resolution session was not convened. A telephonic pre-hearing conference ("PHC") was not convened. Assuming that the due process request was received on June 5, 2009, the date for mailing of the Final Decision and Order, in due course and absent modification by the Hearing Officer, would have been August 18, 2009.

In scheduling the PHC, the Hearing Officer was advised by Ms. Osypuk that the IEP team's decision regarding ESY services being challenged by the Mother reflected lack of documentation at the time of the IEP meeting, that the District had subsequently received the requested documentation, and that on review of the documentation, the District had determined to provide the requested ESY services. The Mother requested several days to review the services the District proposed to offer and subsequently advised by e-mail that she was satisfied with the services the District was offering and that she was withdrawing her request. The District is commended for its attention and quick response to assure continuity of service for the Student.

Accordingly, this matter is hereby DISMISSED.