

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Westport Board of Education

Appearing on behalf of the Student: Parents, *Pro Se*

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

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student via Request for Impartial Special Education Hearing dated June 10, 2010.¹ It was received by the Board of Education on that same date. The thirty-day resolution period ran through July 10 and the original deadline for mailing the final decision and order was August 24, 2010.

A pre-hearing conference was held on July 14. Student's Parents appeared on behalf of Student. No one appeared on behalf of the Board of Education. The Hearing Officer sent an e-mail to Cynthia Gilchrest, the Board of Education's representative, asking her to join the conference call. The Hearing Officer waited ten minutes and then proceeded.²

The following issues were identified:

1. Whether the Board of Education should reimburse Student's Parents for the costs of Student's unilateral placement from March 2010 through June 2010?
2. Whether the Board of Education should reimburse Student's Parents for the costs of Student's unilateral placement for the 2010-11 school year?

Via letter dated July 14, Student's Parents requested a 30-day extension of the mailing date as discussed during the pre-hearing conference in order to have additional time to prepare for hearing and to schedule a resolution session. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until September 23, 2010.

¹ All dates are 2010 unless otherwise indicated.

² On July 15, Ms. Gilchrest notified the Hearing Officer via e-mail that she was out of the office for a family matter and that her e-mail was not monitored in her absence. She inquired as to whether the pre-hearing conference will be rescheduled, indicated that she will schedule a resolution meeting, and that the Board of Education will be represented by Attorney Marsha Moses.

A hearing was scheduled for August 30. On July 27, Student's Parents indicated in writing that they wished to withdraw the matter without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.