

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Woodbridge Board of Education

Appearing on behalf of the Parents: Parents, pro se

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

Appearing before: Attorney Patricia M. Strong
Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

The Mother filed a hearing request on February 9, 2005. This Hearing Officer was assigned to the case on February 14. A prehearing conference was scheduled on February 21. On February 16, the Mother telephoned the Hearing Officer and asked to cancel the prehearing conference. She was advised to make a written request and send it to the Board's attorney who had filed an appearance on February 14. She was also advised that the Hearing Officer could not speak with her without the Board attorney, but she could call Mr. Thomas Badway at the State Department of Education with any questions. A letter from the Parents stating that they wished to cancel the prehearing conference was mailed on February 17 and received by the Hearing Officer in the mail on Saturday, February 19. The letter did not indicate that a copy was sent to the Board's attorney. On February 21, the Hearing Officer made several telephone calls to the Board's attorney in an attempt to convene the prehearing conference, but was unable to reach her. Voice mail messages were left on her cell and office telephone numbers. On February 22, the Board's attorney wrote to the Hearing Officer and apologized for not being available the previous day. On February 23, the Hearing Officer spoke to Mr. Badway who stated that the Mother had called him and indicated that she wished to withdraw the due process request. The Hearing Officer wrote to the parties and advised them that the prehearing conference would not be rescheduled and that the case would be dismissed without prejudice.

FINAL DECISION AND ORDER

It is ordered that this case is dismissed without prejudice.