

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Regional School District 6

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

Appearing on behalf of the Board of Education: Attorney Christine L. Chinni
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by the Regional School District via letter dated February 22, 2010.¹ Via letter dated March 10, the Regional School District submitted a corrected request for hearing. The letter corrected the statement of Student's special education eligibility category. The corrected letter was treated as an amended due process complaint. It was received by Student on March 10. Therefore, the original deadline for mailing the final decision and order was April 24, 2010.

A pre-hearing conference was held on March 15. Attorney Chinni appeared on behalf of the Board of Education. Student did not appear. As permitted by Connecticut State Regulation 10-76h-7(b), the pre-hearing conference proceeded without Student. The following issue was identified: Whether the district may conduct a psychiatric evaluation Student to determine whether Student continues to be eligible for special education and/or related services under the label of OHI-ADHD? The case was scheduled for hearing on April 1 and 8.

On March 22, Student requested a postponement of the hearing dates and an extension of the deadline to mail the final decision and order to permit her time to obtain an attorney. The Board of Education opposed the request. After fully considering the positions of the parties, the request for postponement and extension was granted. The deadline to mail the final decision and order was extended until May 24, 2010. The April 1 and 8 hearings were postponed until April 23 and 26.

On April 21, Student's Mother informed the Board of Education that she consented to an evaluation of Student. On April 22, the Board of Education indicated in writing that a hearing was not necessary in light of the consent for evaluation. The April 23 and 26 hearings were cancelled on April 22.

¹ All dates are 2010 unless otherwise indicated.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.