

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v. Ashford Board of Education

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

Appearing on behalf of the Board: Attorney Anne H. Littlefield  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

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's Parents via Request for Impartial Special Education Hearing dated April 14, 2010.<sup>1</sup> It was received by the Board of Education on April 15. The thirty-day resolution period ran through May 15 and the deadline for mailing the final decision and order is June 29, 2010.

The parties participated in mediation on May 6 but did not come to an agreement.

A pre-hearing conference was held on May 7. Student's Father appeared on behalf of Student and Attorney Littlefield appeared on behalf of the Board of Education. The following issue was identified: Does Student continue to be eligible for special education services under the IDEA?

Student's Father raised a question about whether Student's current IEP is appropriate. That issue was not raised in the original request for hearing. After a discussion about whether to amend the complaint or proceed only on the issue identified above, Student's Father indicated that they will proceed only on the issue identified above and will wait to address the appropriateness of the IEP after a decision on eligibility.

The hearing was scheduled to convene on May 28. On May 21, Student's Father filed a request for postponement of the May 28 hearing to permit the parties to engage in further settlement discussions. The request was granted. Hearings were rescheduled for June 4 and 7.

On June 2, Student's Parents requested to withdraw the case without prejudice as they did not feel prepared to proceed financially or in terms of being able to participate adequately without representation.

**FINAL DECISION AND ORDER**

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

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<sup>1</sup> All dates are 2010 unless otherwise indicated.