

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Middletown Board of Education v. Student

Appearing on behalf of the Parents: Parents, pro se

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

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUE

Were the Board's psychological, educational and speech and language evaluations of the Student conducted in April and May 2008 valid and appropriate?

PROCEDURAL HISTORY:

The Board's Supervisor of Special Education and Pupil Services faxed a letter to the State Department of Education on June 21, 2010 requesting a due process hearing. This Hearing Officer was assigned to the case on June 24, 2010. On July 7, 2010, a prehearing conference was held with the Board's attorney and the Parent (Father). He insisted that he had canceled the case and despite a detailed explanation that the Board was the only party that could withdraw the case since it filed the case, the Parent refused to speak to anyone except the Special Education Supervisor, who was not available. The parties were advised to talk with each other to see if the case could be settled. No hearing date was scheduled, but the mailing date for the final decision was set at August 6, 2010. Later in the day on July 7, 2010, the Board's attorney advised the Hearing Officer that the Parents had withdrawn their request for an independent evaluation and the Board was withdrawing its hearing request without prejudice.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed without prejudice.