

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Middletown Board of Education

Appearing on behalf of Student: *Pro Se*Appearing on behalf of the Board of Education: Attorney Christine L. Chinni
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001Appearing before: 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. It was received by the Board of Education ("BOE") on December 14, 2010.¹ The thirty-day resolution period ran through January 13 and the original deadline for mailing the final decision and order was February 27.

A telephonic pre-hearing conference was held on January 11. Student's Parents appeared on behalf of Student and Attorney Chinni appeared on behalf of BOE. The following issues were identified as being within the jurisdiction of the Hearing Officer:

1. Did BOE provide Student with a free appropriate public education from December 15, 2008 to the present?
2. Did BOE timely and appropriately evaluate Student?
3. If the answer to any of the above questions is in the negative, what shall be the remedy?
4. Is Student eligible for special education services?

The parties participated in a resolution session on January 4.

Via e-mail dated January 19, BOE's Attorney requested a 30-day extension of the deadline to mail the final decision and order to permit the parties to participate in mediation. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended to March 29. Hearings were scheduled for February 23, 24, and 25.

¹ All dates are 2011 unless otherwise indicated.

The parties participated in mediation on February 4. On February 6, Student's Parents withdrew the request for hearing.

FINAL DECISION AND ORDER

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