

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parents: Attorney Sally Zanger
Klebanoff & Phelan, P.C.
Corporate Center West
433 South Main Street – Suite 102
West Hartford, Connecticut 06110

Appearing on behalf of the Board: Attorney Ann F. Bird
Office of Corporation Counsel
City of Hartford
550 Main Street
Hartford, Connecticut 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

This hearing was requested on May 1, 2001. This hearing officer was assigned to the case on May 1, 2001. A prehearing conference was originally scheduled for May 14, 2001, but was rescheduled to May 17 at the request of the parties. At the prehearing conference, the parties requested, and were given, four hearing dates on June 4, 6, 18 and 19. The parties were directed to, and did, file witness lists and exhibits by May 29, 2001. On Friday, June 1 the Hearing Officer received a letter from the student's attorney requesting that the June 4 and 6 hearing dates be "cancelled" and that the June 18 and 19 dates be kept. The letter is attached to this decision. The reason given in the letter was that the parties had met on May 31 and made "substantial progress toward an agreement in this case." The hearing officer advised both attorneys by telephone on June 1 that the hearing would be held on June 4. The hearing was convened on Monday, June 4, 2001, at which time the parties did not appear. Their attorneys appeared and indicated that they expected to reach a settlement within the next week. The student's attorney stated that her June 1 letter was not a request for a postponement, that she did not want a postponement as outlined in Section 10-76h-9(e) of the Regulations of Conn. State Agencies, nor did she want to extend the 45-day decision deadline. Further, the student's attorney did not want to withdraw the hearing request, nor was she prepared to go forward with a hearing.

FINAL DECISION AND ORDER:

The parent's designee, the student advocate, has not prosecuted the case by appearing for the hearing as required by Section 10-76h-18 or filed a timely request to postpone the hearing, and, therefore, it is ordered that this case is **dismissed** without prejudice.