

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Stratford Board of Education and Student

Appearing on behalf of the Board of Education: Attorney Michelle Laubin
Berchem, Moses & Devlin PC
75 Broad Street
Milford, CT 06460

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

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Board of Education's evaluation of the Student appropriate as proposed at the January 10, 2017 meeting or otherwise, despite lack of parental consent?
2. If not, is the Student entitled to an independent educational evaluation at public expense?
3. Was the Board of Education's request for due process timely?

PROCEDURAL HISTORY:

The Board of Education requested a special education due process hearing in the above-captioned matter on April 11, 2017. This Impartial Hearing Officer was appointed to hear the case on April 12, 2017. A telephonic pre-hearing conference was convened on May 3, 2017. Attorney Michelle Laubin appeared on behalf of the Board of Education. The Student's father appeared on behalf of the Student *Pro Se*. The initial deadline for filing the final decision was May 26, 2017.

The Student requested that the prehearing conference be postponed to allow the Student to retain counsel. The Board of Education consented to this request. A second prehearing conference was convened May 15, 2017. At that time, the Student indicated that he would not retain counsel and the parties scheduled their hearing for July 6, 2017.

On May 3, 2017, Counsel for the Board of Education submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to June 23, 2017. The purpose of the requested postponement and extension was to accommodate the Student's request for additional time to secure counsel. The Student agreed to the requested postponement and it was granted.

On May 17, 2017, Counsel for the Board of Education submitted a second written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the

July 7, 2017

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final decision in this case to July 21, 2017. The purpose of the requested postponement and extension was also to accommodate the Student's request for additional time to secure counsel. The Student did not object to the requested postponement and it was granted.

On June 28, 2017, the Student withdrew his request for an independent educational evaluation. In response, the Board of Education requested that this matter be withdrawn or dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Board of Education's request is granted and the matter is dismissed.