

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. East Hartford Board of Education

Appearing on behalf of the Student:

Attorney Melanie Dunn
Special Education M. A. P.
1077 Silas Deane Highway, #160
Wethersfield, CT 06109

Appearing on behalf of the Board:

Attorney Linda Yoder
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to timely find the Student eligible for special education?
2. Did the District fail to provide Student with a Free and Appropriate Public Education (“FAPE”) during the two-year period immediately preceding the filing of this request for a due process hearing?
3. Was the Student's initial IEP offered by the District at the PPT meeting on April 4, 2018, and as amended on June 7, 2018, October 9, 2018, November 13, 2018, and January 8, 2019 sufficient to provide the Student with a FAPE?
4. Will Options, or a similar private program adequately address Student's unique educational needs in the areas of mathematics, language arts, executive functioning skills, and transition programming in the least restrictive environment?
5. Is the Student entitled to a private school placement for the remainder of the 2018-2019 school year?
6. Is the Student entitled to compensatory education in the form of continued placement at a private school for the 2019-2020 school year, including ESY 2019?

PROCEDURAL BACKGROUND:

The Student filed this Request for a Due Process Hearing on January 15, 2019. The Hearing Officer was assigned on January 15, 2019. A Prehearing Conference was scheduled, and held on January 23,

2018. The parties agreed on hearing dates of February 26, 2019 and March 1, 2019 and a date for mailing the final decision set to be April 1, 2019. Subsequently, on February 19, 2019, counsel reported the matter was settled, and inasmuch as the Student was turning 18 on March 14, 2019, his signature was also required on any settlement document. Counsel requested a short extension of time for finalizing these settlement documents and requested postponing the hearing date to March 15, 2019, citing no prejudice to the parties would be resulting therefrom. On March 7, 2019, counsel reported that all documents were agreed on and in process of finalization, but not yet completed, and requested a postponement of the hearing date to March 29, 2019 and a new date for mailing of the final decision to be April 30, 2019. On March 25, 2019, Counsel for the Parent notified the Hearing Officer that the parties had reached an agreement and she requested to withdraw the case. The Board's attorney notified the Hearing Officer there was no objection to Parent's request.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.