

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Plainfield Board of Education

Appearing on Behalf of the Parents: Attorney Sally R. Zanger
Connecticut Legal Rights Project
P.O. Box 351, Silver Street
Middletown, CT 06457

Appearing on Behalf of the Board: Mark J. Sommaruga, Esq.
Sullivan, Schoen, Campane & Connon, LLC
646 Prospect Avenue
Hartford, Connecticut 06105-4286

Appearing Before: Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Should the Student be exited at the end of the 2007-2008 school year from special education and related services upon graduation? If not;
2. Should the exit criteria for the Student be extended until he attains the age of 21 years?

SUMMARY and PROCEDURAL HISTORY:

The Student is an 19 years old young man who has been identified with emotional disturbance and is entitled to receive a free and appropriate public education (“FAPE”) as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At the February 20, 2008 PPT meeting, the Student rejected the Board’s plan to graduate the Student at the end 2007-2008 school year. The Student requested continuance in the Board’s program until he attains the age of 21. The Board rejected the Student’s request.

On or about June 11, 2008, the Board received notice of the Student’s request for due process. Mediation was held on July 9, 2008.

An impartial hearing officer was appointed on June 11, 2008 and a pre-hearing conference was held on June 20, 2008. A hearing date of August 13, 2008 was chosen by the parties.

In a letter dated July 31, 2008, the Student's attorney requested that the hearing date be postponed as the parties continued discussions in order to resolve the matter.

In an electronic correspondence the parties informed the hearing officer of an agreement to withdraw the matter without prejudice in order to allow the parties to continue mediation. The Student was not being prejudiced as he was still receiving services from the Board.

At the request of the parties, in order to accommodate the mailing of a final decision and order after the hearing dates, the date for the filing of the Final Decision and Order was extended.

The date for the Final Decision and Order is September 30, 2008.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.