

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Milford Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 105,
West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Marsha Belman Moses
Attorney Amy Corbett Dion
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's proposed program for the Student for the 2009-10 school year is appropriate.
2. Whether the Parents' placement of the Student at Maplebrook is appropriate.
3. Whether the Parents shall be reimbursed for the Student's placement at Maplebrook.

SUMMARY:

The Board received this request for hearing on September 4, 2009 and a prehearing conference was convened on September 18, 2009. The Parents' attorney submitted a request for an extension of the mailing date of the decision so that the parties had an opportunity to attempt to settle this case through mediation. That request was granted, and the hearing was scheduled to convene on November 24, 2009.

Subsequently, the Parents' attorney submitted a second request for an extension of the mailing date of the decision and a postponement of the scheduled hearing date which was denied as it was not filed in a timely manner¹ and it was the second request for extension so that the parties could continue to attempt settlement of the case. Pursuant to Conn. Regulations of Agencies Sec. 10-76h-9(3), the hearing officer shall not have the authority to grant any further postponements or extensions for continued settlement discussions

At the first hearing date on November 24, 2009, the Board's attorney was present and reported the case had settled. The Parents' attorney was not present.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.

¹ It was not filed five business days prior to the scheduled hearing or deadline date and no compelling reason was shown for the late request. Reg. Conn. Agencies Sec. 10-76h-9(a)