

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. East Hartford Board of Education

Appearing on behalf of the Student: Attorney Alyce Alfano
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West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Linda Yoder
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by the Student via letter dated February 1, 2010.¹ It was received by the Board of Education on February 3. The 30-day resolution period ran through March 5 and the original deadline for mailing the final decision and order was April 19. A pre-hearing telephonic conference was held on February 23. Attorney Alfano appeared on behalf of Student and Attorney Yoder appeared on behalf of the Board of Education. The following issues were identified:

1. Is Student's current educational placement appropriate?
2. If the answer to issue one above is no, should the Board of Education pay for a residential placement for Student?

On February 23, Student requested and was granted an extension of the mailing date to permit the parties to participate in mediation and, if not successful, to convene the hearing on April 7. The deadline for mailing the final decision and order was extended until May 19. The case was scheduled for hearing on April 7.

On March 5, the Hearing Officer received from the Board of Education a motion to join the Department of Children and Families as a defendant. Pursuant to Connecticut State Regulations Section 10-76h-8(c), opposing parties were given seven days to file a written objection. The State Department of Children & Families, by and through the Office of the Attorney General, filed a

¹ All dates are 2010 unless otherwise indicated.

timely written objection to the motion. The Board of Education's Motion to Join the Department of Children and Families as Defendant was denied on March 15.

On March 19, Student withdrew the request for due process without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.