

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Torrington Board of Education

Appearing on behalf of the Parents: Attorney Alyce L. Alfano
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Appearing on behalf of the Board: Attorney Michelle C. Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Should the Board have placed the Student at the Forman School for the 2010-2011 school year as requested by the Parents at the March 23, 2010 Planning and Placement Team meeting?

PROCEDURAL HISTORY:

The Parents' attorney requested this hearing by mailing a request dated April 30, 2010 for a due process hearing to the State Department of Education ("SDE") and copies to the Board and its attorney. The Board received the request on May 3, 2010. This Hearing Officer was assigned to the case on May 5, 2010. On May 18, 2010, a prehearing conference was held. The parties' attorneys reported that mediation was scheduled on June 9, 2010. The mailing date for the final decision was set at July 19, 2010. Hearing dates were agreed on for June 24, 2010 and June 30, 2010. On June 21, 2010, the SDE advised the Hearing Officer that the parties reached an agreement at mediation and that the Parents' attorney would advise her of the status of the due process request. On June 23, 2010, the Parents' attorney reported that the parties had settled the matter, but had not executed a written agreement. She withdrew the hearing request without prejudice and stated that the case would be withdrawn with prejudice after an agreement was executed. The hearing convened on June 24, 2010. The parties' attorneys and the Parents did not attend. The Board's Supervisor of Special Education was present. The Hearing Officer ruled that the case would be dismissed. The Parents' attorney was allowed until July 8, 2010 to request that the hearing be dismissed with prejudice. If the request was not filed by July 8, 2010, the case would be dismissed without a specification of with or without prejudice. On June 29, 2010, the Hearing Officer sent a letter to the parties' attorneys confirming the June 24, 2010 order. No request was filed.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed.