

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Newtown Board of Education

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

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

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via Letter dated August 12, 2010.¹ It was received by the Board of Education ("BOE") on August 13. The thirty-day resolution period ran through September 12 and the original deadline for mailing the final decision and order was October 27.

A pre-hearing conference was scheduled for September 3. Attorney Alfano appeared on behalf of Student. No one appeared on behalf of BOE. The following issue was identified: Should BOE continue Student's placement at Ben Bronz Academy at BOE's expense for the 2010-11 school year?

On September 8, Student's Attorney filed a request to extend the mailing date to accommodate November hearing dates that were mutually agreeable to the parties. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended to November 26. Hearings were scheduled for November 3 and 10.

The parties participated in mediation on September 29 and came to an agreement. On October 28, BOE's Attorney requested that the November 3 hearing be postponed to permit the parties time to execute an agreement. The request was granted. On November 1, Student's Attorney indicated that a settlement agreement had been executed and withdrew the request for hearing with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.

¹ All dates are 2010 unless otherwise indicated.