

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Regional School District 7

Appearing on behalf of the Student: Attorney Andrew Feinstein
Attorney at Law, LLC
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board: Attorney Mark Sommaruga
Sullivan Schoen & Connon, LLC
646 Prospect Avenue
Hartford, CT 06105

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 20, 2010.¹ It was received by the Board of Education on August 20. The thirty-day resolution period runs through September 19 and the deadline for mailing the final decision and order is November 3, 2010.

A pre-hearing conference was held on September 13. Attorney Feinstein appeared on behalf of Student and Attorney Sommaruga appeared on behalf of the Board of Education. The following issues were identified:

1. Did the Board of Education fail to evaluate Student?
2. Did the Board of Education inappropriately fail to identify Student as eligible for special education?
3. Did the Board of Education fail to offer Student an educational program since April 27, 2010?
4. Did the Board of Education fail to provide a free appropriate public education for Student from April 27, 2010 to the end of the 2009-10 school year?
5. Did the Board of Education fail to provide a free appropriate public education for Student for the 2010 extended school year?
6. Did the Board of Education fail to propose a free appropriate public education for Student for the 2010-11 school year?
7. If the answer to any of the issues one through six above is in the negative, is La Europa Academy an appropriate placement for Student?

¹ All dates are 2010 unless otherwise indicated.

8. If the answer to issue seven above is in the affirmative, should the Board of Education reimburse Student's Parents for costs associated with Student's placement at La Europa Academy from May 21, 2010 through the 2010-11 school year?
9. Is Student entitled to compensatory education?

The parties agreed to participate in mediation on September 28. Hearings were scheduled for October 13, 14, and 15.

On September 28, Student's Attorney notified the Hearing Officer that the matter was resolved at mediation. Student's Parents withdrew the request for due process with prejudice.

FINAL DECISION AND ORDER

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