

May 25, 2011

Final Decision and Order No. 11-0450

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent: Attorney Alexis Highsmith
Great Hartford Legal Aid
999 Asylum Ave., 3rd Floor
Hartford, CT 06105-2465

Appearing on behalf of the Board: Attorney Melinda Kaufman
Assistant Corporation Counsel
City of Hartford
550 Main Street
Hartford, CT 06103

Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board had knowledge that the Student was a child with a disability before the behavior that resulted in the disciplinary action;
2. Whether the Student's conduct which resulted in the pending disciplinary action was caused by or had a direct and substantial relationship to the Student's disability;
3. Whether the Student shall be identified as eligible for special education.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was received by the Board on May 12, 2011 and the prehearing conference convened on May 23, 2011. After the prehearing conference, the Parent's attorney submitted notification that the parties had reached a settlement agreement although the Parent did not waive the Parent's right to re-file for a due process hearing at a later date. Therefore, this matter is dismissed, without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, without prejudice.