

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Somers Board of Education

Appearing on behalf of the Parent

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Appearing on behalf of the Board

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Appearing before:

Attorney Sylvia Ho, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education ("BOE") provide an appropriate individualized education program to Student at each of the following dates: 4/30/10; 4/4/11; 6/21/11; 9/30/11; 12/21/11; and 2/13/12?
2. Did the BOE violate Student's substantive and procedural due process rights on 4/30/10; 4/4/11; 9/30/11; 12/21/11 and 2/13/12?
3. Did the BOE violate Student's procedural rights by failing to provide Student with a copy of procedural safeguards at the 4/30/10 Planning and Placement Team meeting ("PPT")?
4. Did the BOE violate Student's procedural and substantive rights by failing to complete assessments and evaluations that were recommended by the PPT on 2/16/11?
5. Should the BOE be required to reimburse the parents for their expenses?
6. Do the circumstances warrant the award of compensatory services as a just and equitable remedy?

SUMMARY:

Parent initiated a Request for Due Process Hearing on March 16, 2012 which was received by the Board the same day. A prehearing conference was held on March 29, 2012 and a hearing scheduled for May 10, 2012. On May 1, 2012, by letter from Student's attorney, the parties jointly requested a postponement of the hearing to continue settlement discussions in good faith. The Hearing Officer granted the Request for Postponement and scheduled a hearing date of May 18, 2012. The original mailing date of the Final Decision was extended from May 31, 2012 to June 4, 2012. Prior to the hearing on May 17, 2012, by letter from Student's attorney, the parties informed the Hearing Officer that they had reached settlement of the dispute of the issues. In accordance with the settlement agreement between the parties, the Parent withdrew the Request for Due Process Hearing with prejudice. The hearing convened and the Hearing Officer read the withdrawal into the record and dismissed the matter with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.