

**ISSUES:**

1. Whether the Board offered an appropriate program for the 1997-98 and 1998-99 school years?
2. If not, did the Eagle Hill School – Southport offer an appropriate program?
3. If so, should the Board be responsible for the costs of such placements and for tuition reimbursement for summer school for 1997?
4. Whether the Board should be responsible for reimbursement for metacognitive, physical and occupational therapies?
5. Whether these issues were raised in a timely fashion in PPTs for both the 97-98 and 98-99 school years?

**SUMMARY:**

The Parents requested a hearing on behalf of their child on December 21, 1999. A prehearing conference was held on January 7, 1999 during which time the issues enumerated above were discussed. A hearing date of February 23, 1999 was set, but did not go forward on that date due to the unavailability of the parents. After several attempts to find a date convenient to all concerned, the matter was rescheduled for May 18, 1999. The parties and the Hearing Officer convened on that date and counsel requested more time to attempt to reach a resolution. After several hours of discussions among the parties, Counsel put on the record that the parties were close to an agreement, but it was not finalized and that therefore no withdrawal would be made at that time. They requested more time to finalize the agreement and indicated that the matter could be dismissed with prejudice if no further request was made to the Hearing Officer within a week.

**FINAL DECISION AND ORDER:**

No further request of the hearing officer having been made, the hearing is **dismissed** with prejudice.