

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Plainville Board of Education v. Student

Appearing on behalf of the Parents: Attorney Andrew A. Feinstein  
Law Offices of David C. Shaw, LLC  
34 Jerome Avenue, Suite 210  
Bloomfield, CT 06002-2463

Appearing on behalf of the Board: Attorney Nicole A. Bernabo  
Sullivan, Schoen, Campana & Connon, LLC  
646 Prospect Avenue  
Hartford, CT 06105-0516

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**BOARD'S ISSUES:**

1. Whether the Board is required to assign the parent-chosen person to accompany the Student during the day, pending the evaluation.
2. Whether the Board is required to retain an inclusion specialist.

**PARENTS' ISSUES:**

1. What procedures need to be in place, what training does the staff require, what environmental modifications are needed, what methods of communication are appropriate, and what level of accountability is essential for the Student to attend middle school in Plainville in a manner that will not expose her to unreasonable risks to her physical health and safety?
2. What educational goals and objectives are appropriate to provide meaningful educational benefit to the Student in the least restrict environment.
3. Whether an independent outside educational consultant is needed to design and oversee an inclusive educational program.

**SUMMARY:**

This hearing, requested by the Board [Exhibit HO-1] was assigned on November 3, 2004. A prehearing conference was held on November 12, and the hearing convened on November 29 and December 3. At the December 3 hearing, the Parents' Motion to Consolidate [Exhibit HO-2] their issues with this hearing was granted. The Parents' issues were joined in this hearing. On December 3, the attorneys for the Parents and the Board reported that a comprehensive settlement had been reached by the parties, as to both the Parents' and Board's issues.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**, with prejudice.