

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Hartford Board of Education

Appearing on behalf of the Parents: Attorney Howard Klebanoff
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Susan C. Freedman
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's program for the 2004-2005 school year is appropriate.
2. Whether the Student requires extended day services.
3. Whether the Student requires a residential program to receive an appropriate education.
4. Whether the program at Evergreen Center is appropriate for the Student.
5. Whether the Student is entitled to compensatory education.

SUMMARY:

This matter was assigned on December 14, 2005, and a prehearing conference was held on December 17. An extension of the mailing date of the decision was granted in accordance with Section 10-76h-9(e) of the Connecticut Regulations which provides for a 30 day postponement for settlement discussions between the parties. On the first day of hearing on January 31, the parties agreed to a settlement of this case. As the settlement agreement required a substantial amount of time to effectuate, both parties requested that this matter be dismissed, **without** prejudice.

FINAL DECISION AND ORDER:

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