

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Appearing on behalf of the Parents: Attorney George R. Oleyer
467 Quaker Farms Road
Oxford, CT 06478

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

Appearing before: Attorney Deborah R. Kearns
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

- I. Whether the Local Educational Agency failed to evaluate the child when requested by the parent?
- II. Whether the child should have been identified as a child with a disability?

PROCEDURAL HISTORY

The parent requested a Due Process hearing on January 10, 2005. January 17, 2005 and January 21, 2005. The matter was scheduled for a hearing on March 2, 2005. The attorney for the child requested in writing an extension of the date for final decision to permit the scheduling of hearing dates. The date for final decision is March 30, 2005. On February 22, 2005 the Attorney for the Board of Education informed the hearing officer all issues between the parties had been resolved at an IEP meeting. The attorney requested the matter be dismissed with prejudice.

FINAL DECISION AND ORDER

1. The case is dismissed with prejudice.