

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hamden Board of Education

Appearing on behalf of the Student: Attorney Nicole A. Bernabo
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Appearing on behalf of the Board: Attorney Linda L. Yoder
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Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Parents' Issues:

- I. Whether the Board's proposed placement for the Student for the 2005-06 school year is appropriate.
- II. If not, whether the Parents' out of district therapeutic residential placement of the Student at Chamberlain School is appropriate.
- III. Whether the Board's proposed placement for the Student for the 2006-07 school year is appropriate.
- IV. If not, whether the Parents' proposed placement of the Student for the 2006-07 school year is appropriate.

Board's Issues:

1. Whether the settlement agreement and release between the Hamden Public Schools and the Parents dated May 5, 2005, requires the Hearing Officer to dismiss issues I and II and prevents the Parents from seeking any additional educational programming or funding for the 2005-2006 school year beyond the financial commitment made in the settlement agreement.

2. Whether the Parents' issues III and IV addressing the school year 2006-2007 should be dismissed as premature because (a) as of this time the PPT has not addressed programming beyond August 2006; (b) moreover, planning a program beyond June 2006 is not appropriate because the Student is scheduled to graduate in June 2006 and there has not been any decision made that she should not graduate.

SUMMARY:

The Board received this request for hearing filed on behalf of the Parents on March 13, 2006. A prehearing conference was held on March 22, and the first hearing date of April 27 was scheduled. The Board submitted its statement of issues on March 27, 2006. On April 24, the Parents' attorney submitted a notice that the parties had settled the matter.

FINAL DECISION AND ORDER:

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