

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Avon Board of Education

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

Appearing on behalf of the Avon Board of Education: Atty. Craig S. Meuser, Chinni &
Meuser LLC, 30 Avon Meadow Lane, Avon, CT 06001

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Should the Board have identified the Student as eligible for special education services on November 8, 2007 and offered a free appropriate public education (FAPE) to the Student for the 2007-2008 school year?

2. Does the Student require a residential placement in order to receive a FAPE?

3. Is the Board responsible for reimbursing the Parents for expenses they incurred for the time the Student attended the New Haven School in Utah during the 2006-07 school year?

4. Is the Board responsible for reimbursing the Parents for expenses they incurred for the time the Student attended the Avalon Hills Treatment Center for Eating Disorders in Utah from January 23, 2007 to May 1, 2007?

5. Is the Board responsible for reimbursing the Parents for expenses they incurred for the time the Student attended the Bromley Brook School in Manchester Center, Vermont from November 10, 2006 to January 22, 2007?

6. Is the Board responsible for reimbursing the Parents for expenses they incurred for the time the Student attended the Mirasol Treatment Center in Arizona from August 2, 2006 to October 13, 2006?

PROCEDURAL HISTORY

The Parents' attorney requested this hearing on November 19, 2007 by faxing a letter to the Board of Education's Director of Pupil Personnel Services. The State Department of Education ("SDE") and the Board's attorney received a copy of the letter on that date. This Hearing Officer was assigned to the case on November 21. On December 11, a prehearing conference was held. The mailing date for the final decision was set at February 4, 2008. Hearing dates were agreed on for February 13 and 26 so that the parties could schedule mediation. On December 18, the Parents' attorney requested a 30-day extension of the mailing date for the final decision until March 5, 2008, which was granted with the Board attorney's consent. On January 18, the SDE advised the Hearing Officer that the parties reached agreement in principle on January 15 at mediation. Upon signing of the agreement, the Parents' attorney would withdraw the request for hearing. On January 24, the Parents' attorney advised the Hearing Officer that the Parents were withdrawing the hearing request. On January 29, the Parents' attorney advised the Hearing Officer that the withdrawal was with prejudice.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed with prejudice.