

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

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

Appearing on behalf of the New Haven Board of Education: Atty. Marsha Belman
Moses, Berchem, Moses & Devlin, P.C., 75 Broad Street, Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Did the Board offer the Student a free appropriate public education (FAPE) for the 2007-2008 school year at the Planning and Placement Team ("PPT") meeting on May 11, 2007?
2. Did the Board properly evaluate the Student prior to the May PPT meeting?
3. Should the Board be required to reimburse the Parents for a comprehensive evaluation as requested at the May PPT meeting?
4. Should the Board be required to reimburse the Parents for the unilateral placement of the Student at the VISTA Life Skills Center for the 2007-2008 school year as requested at the May PPT meeting?

PROCEDURAL HISTORY

The Parents' attorney requested this hearing on December 12, 2007 by mailing a letter to the State Department of Education ("SDE") and copies to the Board's Director of Pupil Personnel Services and the Board's attorney. This Hearing Officer was assigned to the case on that date. On December 20, a prehearing conference was held with the Parents' attorney. The Board's attorney could not be reached by telephone. The mailing date for the final decision was set at February 25, 2008. Three potential hearing dates were selected for January 17, 22 and 30. The Parents' attorney agreed to contact the Board's attorney to obtain a mutually agreeable date. On December 21, the Board's attorney requested a hearing date on January 30, 2008. The request was granted. The

parties were ordered to file exhibits and witness lists by January 23, 2008. Neither party filed any. On January 25, the Parents' attorney wrote to the Hearing Officer that the parties had agreed to the terms of a settlement and requested a two-week continuance in order to execute the agreement and file a withdrawal with prejudice. The request was granted, the hearing for January 30 was canceled and the Parents' attorney was allowed until February 11 to file a withdrawal. As of February 14, 2008, the Parents' attorney made no request.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.