

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

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

Appearing on behalf of the Hartford Board of Education: Atty. Melinda B. Kaufmann, Assistant Corporation Counsel, City of Hartford, 550 Main Street, Hartford, CT 06103

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 for the 2007-2008 school year?
2. Should the Board have identified the Student as eligible for special education for the 2008-2009 school year?
3. If so, should the Board be financially responsible for the unilateral placements at the Raymond School and Wellspring for these school years and the 2008 Extended School Year as compensatory education?
4. Should the Board be required to provide a neuropsychological evaluation, which was agreed on at the April 9, 2008 Planning and Placement Team meeting?

PROCEDURAL HISTORY

The Parents' attorney requested this hearing by mailing a letter dated September 19, 2008 to the State Department of Education ("SDE"). The Board of Education received a copy of the letter on September 24. This Hearing Officer was assigned to the case on September 25. On October 2 the Board's attorney filed an appearance. On October 8, a prehearing conference was held. The mailing date for the final decision was set at December 8, 2008. The Parties had agreed to mediation, but no date had been set. Hearing dates were agreed on for November 19 and 20. The Parties proceeded to mediation on October 29. On October 30, the Parents' attorney requested a 30-day postponement of the November 19 and 20 hearing dates so that the Parties could

complete the approval of a settlement agreement, which was granted. A hearing date was scheduled for December 19 and the mailing date for the final decision was extended to January 7, 2009. On December 2, the Hearing Officer wrote to the Parties and requested that, if a hearing date was needed, that the date be changed to December 23. On December 3, the Parents' attorney wrote to the Hearing Officer that the Parties had not yet signed the settlement agreement, that they agreed to move the hearing date to December 23 and that they anticipated that the request for hearing would be withdrawn within 10 days. On December 16, the Parents' attorney notified the Hearing Officer that the agreement was completed and that the hearing request was withdrawn. The December 23 hearing date was canceled.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.