

**DEPARTMENT OF EDUCATION  
BUREAU OF SPECIAL EDUCATION**

Student v. Voluntown Board of Education

Appearing on Behalf of the Student: Attorney Andrew Feinstein  
Attorney at Law, LLC  
86 Dennison Avenue  
Mystic, CT. 06355

Appearing on Behalf of the Board: Attorney Frederick L. Dorsey  
Siegel, OConnor, ODonnell & Beck, P.C.  
150 Trumbull Street  
Hartford, CT. 06103

Appearing Before: Attorney Ruben E. Acosta, Hearing Officer

**ISSUES:**

1. Did the Board provide the Student a free and appropriate public education as required by the Individuals With Disabilities Education Act, 20 U.S.C. § 1402 et seq. and Connecticut General Statutes § 10-76a for the 2006-2007 school year?
2. Did the Board improperly discontinue special education services by graduating the Student inappropriately in June 2007?
2. Did the Board provide the Student a free and appropriate public education as required by the Individuals With Disabilities Education Act, 20 U.S.C. § 1402 et seq. and Connecticut General Statutes § 10-76a for the time period following his graduation?

**FINAL DECISION AND ORDER**

On October 31, 2008 the Student filed a request for a due process hearing and the undersigned hearing officer was assigned to hear this matter. A pre-hearing conference was held on December 10, 2008 at which time the parties indicated that they were meeting with a mediator on December 16, 2008. Hearings were set for January 7, 2009 and January 26, 2009 as well as February 3, 2009, February 11, 2009 and February 18, 2009. The initial hearing was cancelled due to inclement weather.

On January 22, 2009 the Hearing Officer was informed that mediation had failed to produce an agreement between the parties and the January 26, 2009 hearing proceeded as scheduled. An extra day of hearing was scheduled for February 24, 2009. At the January 26,

2009 hearing the parties reached a private settlement of the case and the request for a due process hearing was withdrawn with prejudice on the record.

**FINAL DECISION AND ORDER:**

The matter is withdrawn with prejudice pursuant to counsel's representation on the record at the January 26, 2009 hearing.