

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

**Student v. Regional School District No. 1**

**On Behalf of the Parents:** Attorney Lawrence W. Berliner  
*Klebanoff & Alfano, P.C.*  
433 South Main Street, Suite 105  
West Hartford, CT 06110

**On Behalf of the Board of Education:** Attorney Craig S. Meuser  
*Chinni & Meuser, LLC*  
30 Avon Meadow Lane  
Avon, CT 06001

**Appearing Before:** Attorney Stacy M. Owens, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board provided the Student a free and appropriate public education (“FAPE”) during the 2007-2008 school year.
2. Whether the individualized educational program (“IEP”) developed for the Student’s 2008-2009 school year is sufficient to provide the Student a FAPE to meet the Student’s special needs. If not, ...
3. Whether the Parents’ unilateral placement of the Student at Marvelwood is appropriate.
4. Whether the Parents are entitled to an independent psychological evaluation.

**SUMMARY/PROCEDURAL HISTORY:**

On December 26, 2008, the Regional School District No. 1 (“the Board”) received a request for hearing from the Parent. (H.O. Exh. 1)

On December 31, 2008, the undersigned was appointed as hearing officer to preside over the hearing, rule on all motions, determine findings of fact and conclusions of law, and issue an order. (H.O. Exh. 2)

A prehearing conference convened on January 22, 2009. During the prehearing conference, Attorney Lawrence W. Berliner appeared on behalf of the Parents; Attorney Craig S. Meuser appeared on behalf of the Board. The issues were confirmed and the hearing was scheduled for February 19, 2009 and February 20, 2009.<sup>1</sup> (H.O. Exh. 3)

By letter dated February 17, 2009, Attorney Berliner submitted a letter indicating that the parties “reached a settlement in this matter,” and that withdrew the Parents’ request for hearing with prejudice. (H.O. Exh. 4)

**FINAL DECISION AND ORDER:**

As such, and based on the foregoing, this matter is **dismissed with prejudice.**

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<sup>1</sup> The hearing was originally scheduled for February 13 and 20, 2009, but the hearing officer noted a scheduling conflict for the February 13, 2009 date. As such, the February 13, 2009 hearing date was rescheduled for February 19, 2009.