

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Hartford Board of Education

Appearing on behalf of the Parent (Mother): Attorney David C. Shaw
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34 Jerome Avenue, Suite 210
Bloomfield, CT 06002

Appearing on behalf of the Board: Attorney Susan C. Freedman
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board propose and implement appropriate Individualized Education Programs (IEPs) for the Student for the 2007-08, 2008-09 and 2009-10 school years?
2. If the IEPs were not appropriate, should the Board be required to place the Student in an out-of-district program acceptable to the Parent?
3. Should the Board be required to pay for an independent educational evaluation of the Student by Dr. Cherkas-Julkowski?
4. Should the Board be required to provide speech and language, auditory processing, hearing and assistive technology evaluations by professionals acceptable to the Parent?
5. Should the Board be required to provide compensatory education for the Student?

PROCEDURAL HISTORY:

The Parent's attorney requested this hearing by mailing a letter dated June 10, 2009 to the State Department of Education. The Board of Education received a copy of the letter on June 15, 2009. This Hearing Officer was assigned to the case on June 17, 2009. A prehearing conference was held on June 26. Hearing dates were agreed on for August 21, 2009 and August 25, 2009 and September 1, 2009. The Parent's attorney, with consent of the Board's attorney, requested that the mailing date for the final decision be extended from August 31, 2009 to September 25, 2009 to allow time to schedule mediation and mutually convenient hearing dates. The request was granted.

On August 12, 2009, the Board's attorney, with consent of the Parent's attorney, requested that the deadline for filing witness lists and exhibits by August 14, 2009 be waived because the parties were attempting to reach a settlement. The request was granted. On August 18, 2009, the parties' attorneys requested that the August 21, 2009 hearing be canceled, that the filing of exhibits be extended to August 21, 2009 and that the first day of hearing be August 25, 2009. The request was granted. The hearing convened on August 25, 2009. The parties reported that they had reached a settlement of all the issues and that the agreement required that the Parent request a dismissal of the hearing with prejudice.

FINAL DECISION AND ORDER:

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