

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and New Haven Board of Education

Appearing on behalf of the Student:

Attorney John M. Flanders
57 Washington Road
Cromwell, CT 06416

Appearing on behalf of the Board of Education:

Attorney Michelle Laubin
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Board of Education's proposed placement for the Student for the 2015-2016 School Year appropriate?
2. If not, does the Student require: (a) a class of all typical peers; (b) a class size of ten to fifteen students; (c) auditory verbal therapy for 1.25 hours per week; and/or (d) a classroom that is acoustically appropriate for a student with hearing loss?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on May 29, 2015. The Impartial Hearing Officer was appointed to hear the case on June 30, 2015. A telephonic pre-hearing conference was held on July 20, 2015. Attorney Michelle Laubin appeared on behalf of the Board of Education and Attorney John Flanders appeared on behalf of the Student. At that time, an evidentiary hearing was scheduled for October 13, 2015. September 11, 2015 was established as the deadline for filing the final decision in the case.

On July 21, the Student requested a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in order to allow the parties an opportunity to participate in mediation before a hearing is conducted. The Board did not object to the requested postponement and it was granted.

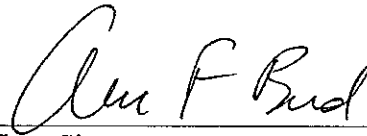
On September 22, 2015, the Student reported that the parties had resolved their dispute, and requested that the case be dismissed with prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is dismissed with prejudice.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

ANN F BIRD

Hearing Officer

Name in Print