

July 23, 2012

Final Decision and Order 12-0400

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. East Hampton Board of Education

Appearing on behalf of the Parents: Attorney Courtney Spencer  
The Law Office of Courtney P. Spencer LLC  
701 Hebron Ave.  
Glastonbury, CT 06033

Appearing on behalf of the Board: Attorney Mark Sommaruga  
Sullivan, Schoen, Campana & Connon, LLC  
646 Prospect Avenue  
Hartford, CT 06105-4286

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board's programs for the Student for the 2009-10, 2010-11 and 2011-12 school years were appropriate;
2. Whether the Board's proposed program for the 2012-13 school year for the Student is appropriate;
3. Whether the Board has committed procedural violations which have resulted in a denial of FAPE during the 2009-10, 2010-11 and 2011-12 school years;
4. Whether the Student shall be placed at Middlesex Transition Academy or the S.T.A.A.R. Program for the summer 2012 and the 2012-13 school year;
5. Whether the Student is entitled to two years of compensatory education.

**PROCEDURAL HISTORY/DISCUSSION:**

The request for hearing was filed by the Board on May 3, 2012, and a prehearing conference convened on May 10, 2012. At the prehearing conference, the parties reported that they had agreed to mediate this case.

A request for extension of the mailing date was granted and a hearing date of July 19, 2012 was scheduled. Prior to the July 19, 2012 hearing date, the Parents' attorney submitted notification the parties had reached an agreement, which was not yet fully executed. The Parents' attorney sought cancellation of the July 19, 2012 hearing date. That hearing date was cancelled and a mutually agreed upon hearing date of July 25, 2012 was scheduled. Prior to the July 25, 2012 hearing date, the Parents' attorney submitted notification that the matter has been resolved and that the Parents are withdrawing their hearing request with prejudice. Therefore, this matter is dismissed.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.