

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bloomfield Board of Education

Appearing on behalf of the Parents:

Attorney David C. Shaw  
The Law Office of David C. Shaw LLC  
34 Jerome Ave., Suite 210  
Bloomfield, CT 06002

Appearing on behalf of the Board:

Attorney Christine Chinni  
Attorney Craig Meuser  
Chinni & Meuser LLC  
Meadow Lane  
Avon, CT 06001

Appearing before:

Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board's IEP for the Student for the 2009-2010 school year was appropriate;
2. Whether the Board improperly terminated the Student from special education and denied the Student FAPE in the 2009-2010 school year;
3. Whether the Board's IEP for the Student for the 2010-2011 school year was inappropriate as it was not implemented and denied the Student FAPE;
4. Whether the IEP offered to the Student for the 2011-2012 school year is inappropriate because it was not based on current information, transition planning components were inadequate and goals and objectives were not appropriate;
5. Whether the Parents' and Student's rights were violated as the Board failed to pay for the IEE of Dr. Cherkes-Julkowski and Shelley Lacey-Castelot and the transition evaluation by Futures, Inc.;
6. Whether the Parents' placement of the Student at Franklin Academy, including the residential component, is appropriate and shall be reimbursed;
7. If the residential component of Franklin Academy is unnecessary, whether the Board shall be responsible for transportation costs for the day program;

8. Whether the Board shall reimburse the Parents for the IEEs, ESY 2010 at Franklin Academy and programming provided at FOCUS with related transportation;
9. Whether the Student is entitled to compensatory education in the form of two additional years of placement at Franklin Academy.

**PROCEDURAL HISTORY/DISCUSSION:**

This request for hearing was received by the Board on August 23, 2011 and a prehearing conference convened on August 31, 2011. A mediation session was convened on September 7, 2011 which did not result in an agreement at that time.

The hearing convened on October 18, 2011 with the Parents' attorney, the Parents, the Board Director and the Board's attorney present. At the hearing the parties requested additional time to attempt to settle the case, and the case was continued to the next scheduled hearing date, October 24, 2011. On October 24, 2011 the hearing convened with the Parents' attorney, the Parents, the Board Director and the Board's attorney present. Counsel for both parties confirmed that the parties finalized an agreement, and reported that the case was settled. Therefore, this case is dismissed.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.