

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Cromwell Board of Education

Appearing on behalf of the Parent:

Courtney Spencer, Esq.
Law Office of Courtney Spencer, LLC
701 Hebron Avenue
Glastonbury, CT 06033

Appearing on behalf of the Board:

Craig Meuser, Esq.
Chinni and Meuser, LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing before:

Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program for the 2012-2013 school year?
2. Did the Board provide Student with a free and appropriate public education for the school years preceding the filing of the Due Process Complaint?
3. Should the Board be required to financially support a private placement for Student at the Gengras Center for the 2012-2013, 2013-2014 and 2014-2015 school years?
4. Do the circumstances warrant an award of compensatory education for Student?

PROCEDURAL HISTORY/ SUMMARY:

The Parent initiated a Request for Due Process Hearing on August 24, 2012. The original mailing date of the final decision was November 7, 2012. A prehearing conference was held on September 7, 2012 and a hearing scheduled for October 18, 2012. On October 9, 2012, Parent's attorney requested a continuance of the hearing date because the parties had engaged in voluntary mediation with a state appointed mediator and were working to draft a settlement. The request was granted and a hearing was scheduled for October 30, 2012. On October 23, 2012, the parties jointly requested an extension of time until October 26, 2012 to exchange exhibits. The request was granted. The October 30, 2012 hearing date was cancelled due to Hurricane Sandy induced inclement weather and closure of the school district. The Parent requested an extension of the timelines and a continuance of the hearing to November 14, 2012. The Parent's request was granted and a new mailing date was scheduled for December 7, 2012. On November 8, 2012, the Parent's attorney informed the Hearing Officer that the parties had finalized their Settlement Agreement and that the Parent was withdrawing the Due Process Request with prejudice.

FINAL DECISION AND ORDER:

The matter is DISMISSED with prejudice.