

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Coventry Board of Education

Appearing on behalf of the Parent:

Courtney Spencer, Esq.
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Middletown, CT 06457

Appearing on behalf of the Board:

Anne Littlefield, Esq.
Jessica Ritter, Esq.
Shipman and Goodwin, LLP
One Constitutional Plaza
Hartford, CT 06103

Appearing before:

Attorney Sylvia Ho, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide Student with an appropriate program in the 2011-2012 school year?
2. Did the Board provide Student with an appropriate transition plan?
3. Did the Board implement the program that it offered?
4. Should the Board be required to financially support Student's services by the Options program?
5. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/ SUMMARY:

The Student, a resident of the town of Coventry, was enrolled at the Connecticut International Baccalaureate Academy for the 2011-2012 school year. The International Baccalaureate Academy is an inter-district magnet school operated by East Hartford Public Schools.

The Student filed the Due Process Complaint and Hearing Request on July 2, 2012. The Board received the Request on July 3, 2012. The original mailing date of the Final Decision was September 17, 2012. A telephonic Prehearing Conference was scheduled for July 16, 2012.

The Board filed a Motion to Strike and Sufficiency Challenge on July 13, 2012. During the telephonic Prehearing Conference, Student's attorney agreed to amend the portions of the Complaint that were objectionable to the Board. The hearing was scheduled for September 10, 2012. The Student filed an Amended Complaint on July 18, 2012. The mailing date of the Final Decision was revised to November 1, 2012.

The hearing convened on September 10, September 25, October 1, October 15, October 24, October 25, October 31, November 9, November 26, November 28, December 19 and December 20, 2012 and January 10, January 24 and February 1, 2013. The mailing date of the Final Decision was extended several times to allow for the completion of the hearing to December 1, 2012, December 31, 2012 and January 30, 2012 and then finally to February 28, 2013.

The Student was over the age of eighteen (18) but did not appear at the hearing. The Parent represented the Student pursuant to a duly executed power of attorney, which was submitted as Parent Exhibit P-69. The Hearing Request was admitted as HO-1. The Board response was admitted as HO-2. The Parent submitted exhibits P-1 to P-80. The Hearing Officer admitted all Parent exhibits into evidence except for P-2. The Board submitted exhibits B-1 to B-171. The Hearing Officer admitted all Board exhibits into evidence except for B-133. During the course of the hearing, the Hearing Officer requested additional exhibits which the Board provided. These were marked as Exhibits B-168 and B-169.

The Hearing Officer heard testimony from the following witnesses:

1. Parent
2. Ms. Barbara Trinks, Director of Pupil Services for the Coventry School
3. Dr. Lisa Karabelnik, MD, Board psychiatrist
4. Ms. Jackie Alexander, MA, Board Psychotherapist
5. Mr. Scott Wells, Director of Options Employment and Education Services
6. Ms. Judy Taddei, East Hartford Special Education teacher
7. Ms. Jennifer Sawyer, Connecticut International Baccalaureate Academy teacher
8. Ms. Kristine Brewer, tutor

The Hearing Officer also requested additional testimony from the Student's treating physician for a hearing date scheduled in January 2013.

On January 3, 2013, the Student's attorney notified the Hearing Officer that the parties had reached a settlement of the issues in dispute and requested a continuation of the hearing to finalize the settlement agreement. The request was granted and the hearing was continued to January 24, 2013. The parties were unable to finalize their settlement on January 24, 2013 and the hearing was continued to February 1, 2013. The mailing date of the Final Decision was extended to February 28, 2013. The hearing convened on February 1, 2013 and the parties reported that they had finalized their settlement agreement. The Student withdrew the Complaint with prejudice and the hearing was closed.

FINAL DECISION AND ORDER:

The matter is hereby **DISMISSED** with prejudice.