

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. East Hampton Board of Education

Appearing on behalf of Student:

Attorney Sally R. Zanger
Connecticut Legal Rights Project
PO Box 351
Middletown, CT 06457

Appearing on behalf of the Board of Education:

Attorney Mark Sommaruga
Sullivan Schoen Campana & Connon LLC
646 Prospect Avenue
Hartford, CT 06105

Appearing before:

Attorney Janis C. Jerman
Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via Request for Impartial Special Education Hearing dated January 26, 2011.¹ It was received by the Board of Education ("BOE") on January 26. The thirty-day resolution period ran through February 27; the original deadline for mailing the final decision and order was April 13.

A telephonic pre-hearing conference was held on March 1. Attorney Zanger appeared on behalf of Student and Attorney Sommaruga appeared on behalf of BOE. The following issues were identified:

1. Did BOE timely and appropriately evaluate Student? If not, what shall be the remedy?
2. Did BOE provide Student with an appropriate transition plan? If not, what shall be the remedy?
3. Should BOE modify the statement of present level of performance in Student's Individualized Education Program?
4. Should BOE modify Student's Individualized Education Program to identify actions requested by Student and refused by BOE?

The parties participated in mediation prior to the request for due process.

¹ All dates are 2011 unless otherwise indicated.

Via letter dated March 9, Student's Attorney requested an extension of the mailing date to accommodate hearing dates. After fully considering the positions of the parties, the request for an extension of the mailing date was granted and the deadline to mail the final decision and order was extended to May 13. Hearings were scheduled for April 1 and 11.

Via letter dated March 18, Student's Attorney reported that the parties reached a resolution and withdrew the request for hearing with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.