

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New London Board of Education

Appearing on behalf of the Parent (Mother): Attorney Andrew A. Feinstein
Attorney at Law, LLC
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board: Attorney Frederick L. Dorsey
Siegel, O'Connor, O'Donnell & Beck, P.C.
150 Trumbull Street
Hartford, CT 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide and offer a free appropriate public education (“FAPE”) to the Student for the 2008-09 and 2009-10 school years?
2. If the Student did not receive a FAPE, should the Board be required to pay for an auditory processing evaluation of the Student and reimburse the Parent for the costs of counseling and tutoring during the 2008-09 school year?
3. If the Student did not receive a FAPE, should the Board be required to place the Student in a residential placement at the Eagle Hill program in Greenwich for the 2009-10 school year?

PROCEDURAL HISTORY:

The Parent’s attorney requested this hearing by mailing a letter dated June 24, 2009 to the State Department of Education. The Board of Education received a copy of the letter on June 29, 2009. This Hearing Officer was assigned to the case on June 29, 2009. On July 8, 2009, the Board’s attorney filed an appearance and requested, with consent of the Parent’s attorney, that the prehearing conference be postponed until July 27, 2009, which was granted. At the July 27, 2009 prehearing conference, hearing dates were agreed on for September 8 and 14. The Parent’s attorney, with consent of the Board’s attorney, requested that the mailing date for the final decision be extended from September 14, 2009 to October 8, 2009 to allow time to conduct settlement negotiation and schedule mutually convenient hearing dates. The request was granted.

On September 2, 2009, the Parent's attorney, with consent of the Board's attorney, requested that the September 8, 2009 hearing be canceled to permit the parties to finalize a settlement agreement. The request was granted. On September 10, 2009, the Parent's attorney withdrew the hearing request without prejudice and stated that the Parent had executed a settlement agreement, but that the Board had not signed it yet. He also asked that the September 14, 2009 hearing be canceled.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed without prejudice.