

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Britain Board of Education

Appearing on behalf of the Parents: Atty. Catherine A. Holahan, Connecticut Legal Services, 587 Main Street, New Britain, CT 06051

Appearing on behalf of the New Britain Board of Education: Attys. Lawrence J. Campana, Michael P. McKeon, and Courtney M. Brenton, Sullivan, Schoen, Campana & Connon, LLC, 646 Prospect Avenue, Hartford, CT 06105-4286

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

This hearing was requested by the Parent (Mother) on August 14, 2006 by form letter to the State Department of Education ("SDE"). This Hearing Officer was assigned to the case on August 15. On August 21, Attys. Campana and Brenton filed an appearance on behalf of the Board of Education. On August 25, Atty. Holahan filed an appearance on behalf of the Parent. A prehearing conference was held on August 28. The decision deadline was set at October 28, 2006. Hearing dates were agreed on for October 11, 16, 19 and 23. On August 29, the Parent's attorney sent a letter to the Hearing Officer requesting an extension of the decision deadline to November 16 to allow completion of a neuropsychological evaluation and accommodate the hearing dates agreed on. The request was granted. On September 25, the Parent's attorney requested a postponement of the four October hearing dates and an extension of the decision deadline for an additional 45 days because the parties had not yet agreed on an evaluator. The request was granted, the hearing was postponed to November 27 and the decision deadline was extended to December 21, 2006. On October 24, the Parent's attorney requested a postponement of the November 27 hearing date and an additional 45-day extension of the decision deadline because the parties agreed-upon evaluator could not conduct the evaluation until December 8, 2006. The request was granted, the hearing was postponed to January 5, 2007 and the decision deadline was extended to January 29, 2007. On December 22, the Parent's attorney requested a 30-day postponement of the January 5 hearing and a 45-day extension of the decision deadline in order to allow for the completion of the evaluator's report. The request was granted, the hearing was rescheduled to February 5 and 14 and the decision deadline was extended to March 1,

2007. On January 29, the Parent filed her witness list and 69 exhibits. The Board did not file any.

The hearing convened on February 5. After discussion with the parties, both on and off the record, the Board requested a postponement of the February 14 hearing date so that a PPT meeting on February 15 could review and possibly resolve the case. The Parent's attorney was prepared to go forward with her case, but agreed to the postponement. The Hearing Officer asked the Parent's attorney to file an amended statement of issues for the hearing since it appeared that some issues were rendered moot by the evaluation. The February 14 hearing date was canceled. The Board's attorney was allowed until February 22 to file exhibits and a witness list. Hearing dates were agreed on for March 1, 2, 7 and 15, 2007. The decision deadline was extended to April 9, 2007. On February 21, the Parent's attorney filed an amended statement of issues stating that two issues were moot and one issue remained for resolution. On February 28, the Board's attorney filed a list of witnesses.

The hearing continued on March 1, 2007. The parties were allowed several hours to discuss and draft a settlement agreement. The Parent's attorney filed additional exhibits P-70 through P-77. Following the agreement to settle the case, the Parent's attorney filed two additional exhibits, P-78 (the record of the February 15, 2007 PPT meeting) and P-79 (the parties' settlement agreement). These were entered into the record. The parties requested a dismissal with prejudice.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed with prejudice.