

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Bloomfield Board of Education

Appearing on behalf of the Parents: Attorney Courtney P. Spencer
Law Office of Courtney P. Spencer, LLC
701 Hebron Avenue
Glastonbury, CT 06033

Appearing on behalf of the Board: Attorney Christine L. Chinni
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Student require an extended day program in order to receive a free appropriate public education (“FAPE”)?
2. Does the Student require the services of a full-time paraprofessional in order to receive a FAPE?
3. Does the Student require occupational therapy services in order to receive a FAPE?
4. Should the Board provide a behavioral analysis and formal intervention program for the Student, a physical therapy assessment, adaptive technology and augmentative communication evaluations and transition planning to move the Student forward to adulthood?
5. Did the Board disregard the concerns of the Parents and the input of its own evaluators and outside professionals in removing needed services from the Student’s Individualized Education Program at the October 20, 2009 and March 29, 2010 Planning and Placement Team meetings?

PROCEDURAL HISTORY

The Parents' attorney faxed a letter to the State Department of Education ("SDE") on April 12, 2010 requesting a due process hearing. The Board's Director of Pupil Services received a copy on that date. This Hearing Officer was assigned to the case on April 19, 2010. On April 27, 2010, the Board's attorney filed an appearance. On May 4, 2010, a prehearing conference was held. The parties agreed to mediation and to try to resolve the case prior to mediation. One hearing date was agreed on for June 9, 2010 and the mailing date for the final decision was set at June 28, 2010. On May 17, 2010, the SDE advised the Hearing Officer that mediation was scheduled for May 24, 2010. On May 25, 2010, the Parents' attorney advised the Hearing Officer that the parties had not reached a settlement at mediation and stated that she would contact the Board's attorney for additional potential hearing dates.

On May 26, 2010, the SDE advised the Hearing Officer that the parties did not reach an agreement at mediation and to proceed with the hearing. On June 2, 2010, the Parents' attorney advised the Hearing Officer that the parties had reached an agreement and requested that the first day of hearing be canceled. The request was granted, a new hearing date was scheduled on June 25, 2010 and the mailing date for the final decision was extended to July 19, 2010. On June 18, 2010, the Parents' attorney advised the Hearing Officer that once the settlement agreement was fully executed, the Parents would withdraw the hearing request with prejudice. She requested that the June 25, 2010 hearing be canceled. On June 21, 2010 the Hearing Officer advised the parties that the hearing was canceled and that a dismissal decision would be mailed to them by July 19, 2010.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.