

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. New Canaan Board of Education

Appearing on behalf of the Student: *Pro Se*

Appearing on behalf of the Board: Attorney Andreana Bellach  
Shipman & Goodwin LLC  
300 Atlantic Street  
Stamford, CT 06901

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board failed to provide an appropriate program for the Student for the 2009-10 school year.
2. Whether the Board failed to implement the Student's program during the 2009-10 school year.
3. Whether the procedural violations as alleged in the request for hearing resulted in a denial of a free appropriate public education [FAPE].
4. Whether the Student shall be reassessed by Dr. Miriam Cherkas-Julkowski and have a longitudinal assessment done by Dr. Oliva of the Student's learning styles.
5. Whether the Board shall pay the consultant.
6. Whether the Student is entitled to an award of compensatory education for regression and/or for the Board's failure to implement or provide an appropriate program.
7. Whether the Student is entitled to compensatory education in the form of an extra year of special education through age 22.

**SUMMARY:**

The Board received the request for hearing on June 14, 2010 and a prehearing conference was convened on June 25, 2010. The initial hearing date was postponed and the mailing date extended so that the parties could attempt to settle the case. Prior to the first hearing date, the Parent submitted notification that she was in good faith reviewing a settlement and did not want to proceed with the hearing at this time. The case is dismissed without prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**, without prejudice.