

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Farmington Board of Education

Appearing on behalf of the Student: Attorney Christine H. Barrington
Barrington Law Centers
94 Park Terrace Avenue
West Haven, CT 06516

Appearing on behalf of the Board: Attorney Julie Fay
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board denied the Student a free appropriate public education [FAPE] for the 2008-09, 2009-10 and the 2010-11 school year, including inappropriate programming, inappropriate supplemental aids and services, refusal of appropriate related services and provision of such to the maximum extent appropriate in the least restrictive environment.
2. Whether the Board provided an inappropriate educational placement to the Student for the 2008-09, 2009-10 and the 2010-11 school years, including institution and transportation.
3. Whether the Board committed procedural violations that resulted in a denial of FAPE during the 2008-09, 2009-10 and 2010-11 school years including failure to provide prior written notice, predetermination of programming and placement and denying the Parent meaningful participation in the IEP process.
4. Whether the Student is entitled to compensatory education, as well as reimbursement of costs and expenses.

SUMMARY:

The Board received the request for hearing on July 26, 2010 and a prehearing conference was convened on August 3, 2010. The hearing convened on September 23, 2010. Subsequent to that hearing date, the Parent's attorney submitted a Motion to Dismiss the Plaintiff's request for an impartial due process hearing with prejudice in part and without prejudice in part as the parties had entered into a settlement agreement. That Motion is granted. This matter is dismissed with prejudice for all claims raised relative to all school years through the 2009-10 school year, including ESY 2010. The matter is dismissed without prejudice relative to all claims related to the 2010-11 school year.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, without prejudice as to all claims related to the 2010-11 school year. The matter is **DISMISSED**, with prejudice as to all claims raised relative to all school years through the 2009-10 school year, including EYS 2010.