

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Bloomfield Board of Education

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

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

Appearing before: Attorney Janis C. Jerman
Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via letter dated April 1, 2011.¹ It was received by Board of Education's ("BOE's") Attorney on April 12. The thirty-day resolution period ended May 12 and the deadline to mail the final decision and order is June 27.

A telephonic pre-hearing conference was held on April 28. Attorney Spencer appeared on behalf of Student and Attorney Chinni appeared on behalf of BOE. The following issues were identified:

1. Did BOE fail to provide Student with a free appropriate public education?
2. Did BOE fail to appropriately evaluate Student?

Via letter dated May 10, Student's Attorney requested that the issues be restated to include the following issues:

1. If BOE failed to provide Student with a free appropriate public education, is Franklin Academy the appropriate placement for Student for the 2010-11 school year, the 2011 extended school year, and the 2011-12 school year?
2. Did BOE commit procedural violations that resulted in a denial of FAPE to Student?
3. Are Student's Parents entitled to reimbursement for Focus Alternative Learning Center?

¹ All dates are 2011 unless otherwise indicated.

4. Is Student entitled to compensatory education?

The parties participated in mediation prior to the filing of the request for due process. BOE did not offer Student a resolution meeting after the request for due process was filed.

Hearing was scheduled to convene on May 18. Via letter dated May 10, Student's Attorney indicated that the parties jointly request a continuance of the scheduled hearing date to permit the parties to engage in settlement discussions. After fully considering the positions of the parties, the request for a continuance was granted.

The issues were clarified as follows:

1. Did BOE fail to provide Student with a free appropriate public education?
2. Did BOE fail to appropriately evaluate Student?
3. If BOE failed to provide Student with a free appropriate public education, is Franklin Academy the appropriate placement for Student for the 2010-11 school year, the 2011 extended school year, and the 2011-12 school year?
4. Did BOE commit procedural violations that resulted in a denial of FAPE to Student?
5. Are Student's Parents entitled to reimbursement for Focus Alternative Learning Center?
6. Is Student entitled to compensatory education?

The parties indicated that they were mutually available for hearing on June 15. Via letter dated May 26, Student's Attorney indicated that the parties were continuing to work to resolve the matter and that Student's Parents withdraw the request without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.