

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent (Mother): Attorney Lynn B. Cochrane
Greater Hartford Legal Aid, Inc.
999 Asylum Ave., 3rd Floor
Hartford, CT 06105

Appearing on behalf of the Board: Attorney Melinda B. Kaufmann
Assistant Corporation Counsel
City of Hartford
550 Main Street
Hartford, CT 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Did the Board provide a free appropriate public education to the special education Student who transferred from another district in mid-January 2010 and was placed in a regular education setting until, following his suspension from school in February 2010, a Planning and Placement Team recommended on February 19 that pending his placement in a much more structured educational environment that he receive eight hours per week of homebound instruction?
2. If not, should the Board provide an immediate full-time educational program?
3. Should the Student be awarded three hours per day of compensatory education for both tutoring and transitional/vocational services for each school day since February 19 that he did not receive educational services?

PROCEDURAL HISTORY

The Parent's attorney requested this hearing by mailing a letter dated May 5, 2010 to the State Department of Education ("SDE"). The Board of Education received a copy e-mail on that date. This Hearing Officer was assigned to the case on May 7, 2010. A prehearing conference was held on May 18, 2010. A hearing date was agreed on for June 15, 2010 and the mailing date for the final decision was set at July 19, 2010. On June 11, 2010, the Board's attorney requested a two-week postponement of the hearing because the parties were close to settling the case. She stated that she could not discuss the

request with the Parent's attorney until June 14, 2010. On June 14, 2010, the Parent's attorney sent a letter stating that she agreed to the postponement.

The hearing convened on June 15, 2010. The Parent and her attorney did not attend. The Board's attorney stated that a verbal settlement was reached on May 27, 2010, but the written agreement had not been finalized. She asked for a three-week continuance, which was granted absent objection. A hearing was scheduled on July 8, 2010 and the mailing date for the final decision was extended to July 23, 2010. On June 25, 2010, the Board's attorney requested, with consent of the Parent's attorney, that the hearing date be rescheduled to July 13, 2010 or July 15, 2010 because she was not available on July 8, 2010. The request was granted, the hearing was rescheduled for July 13, 2010 and the mailing date for the final decision was extended to August 6, 2010. On July 6, 2010, the Parent's attorney sent a withdrawal of the hearing request along with a copy of the settlement agreement. On July 7, 2010, the Hearing Officer advised the parties that the case would be dismissed with prejudice as required by the parties' agreement.

FINAL DECISION AND ORDER

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