

May 19, 2011

Final Decision and Order 11-0298

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Middletown Board of Education

Appearing on behalf of the  
Grandparents/Guardians:

Attorney Courtney Spencer  
701 Hebron Ave.  
Glastonbury, CT 06033

Appearing on behalf of the Board:

Attorney Christine Chinni  
Chinni & Meuser LLC  
30 Avon Meadow Lane  
Avon, CT 06001

Appearing before:

Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board failed to provide a free appropriate public education [FAPE] to the Student for the 2010-11 school year;
2. Whether the Board committed procedural violations during the 2010-11 school year which resulted in a denial of FAPE;
3. Whether the Student shall be transitioned to CREC River Street for the 2010-11 school year, ESY 2011 and the 2011-12 school year;
4. Whether the Student is entitled to compensatory education.

**PROCEDURAL HISTORY/DISCUSSION:**

This request for hearing was received by the Board on April 20, 2011 and prehearing conferences convened on April 29, 2011 and May 3, 2011. An Amended Due Process request was filed on May 3, 2011. On May 18, prior to the first hearing date, the Grandparent/Guardians' attorney submitted notification that the parties had executed a settlement agreement. Therefore, the matter is dismissed in accordance with that notice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.