

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Avon Board of Education

Appearing on behalf of the Student: Attorney Marisa Mascolo  
Klebanoff & Alfano, P.C.  
433 South Main Street, Ste 105  
West Hartford, CT 06110

Appearing on behalf of the District: Attorney Craig Meuser  
Chinni & Meuser LLC  
30 Avon Meadow Lane  
Avon CT 06001

Appearing before: Attorney Ann F. Bird, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES**

1. Did the Board of Education fail to provide the Student with FAPE for the 2010-2011 and/or 2011-2012 School Years?
2. If not, is the Grove School appropriate for the Student?
3. If so, is the Student entitled to reimbursement for the cost of the Grove School placement from the Board of Education?
4. If the Board of Education failed to provide the Student with FAPE for the 2010-2011 and/or the 2011-2012 School Years, is the Student entitled to compensatory education from the Board of Education?
5. Does the Impartial Hearing Board have jurisdiction over issues related to the 2010-2011 School Year?

**PROCEDURAL HISTORY**

The Student submitted a Request for Impartial Special Education Hearing on December 1, 2011. The Hearing Officer was assigned to the case on December 2, 2011. A telephonic prehearing conference was conducted on December 16, 2011. Counsel for each party participated in the prehearing conference and requested hearing dates in February 2012 in order to allow them time to discuss settlement. Hearing dates of February 2, February 6, February 14, February 28 and March 2, 2012 were scheduled.

On January 25, 2012, Counsel for the Student requested a thirty-day extension of the timelines for conducting the hearing and mailing the final decision. On January 27, 2012 the Hearing Officer granted the request for an extension of 30 days, to March 14, 2012. On January 26, 2012, Counsel for the Student submitted a Witness List as well as Proposed Exhibits to the Hearing Officer.

February 7, 2012

Final Decision and Order 12-0187

On January 31, 2012, Counsel for the Board of Education filed a Motion to Dismiss portions of the Student's Request for Due Process.

On January 31, 2012, Counsel for the Student notified the Hearing Officer that the Student's Request for Due Process Hearing was withdrawn due to settlement of the dispute. As a result, the Hearing Officer canceled the hearings.

**FINAL DECISION AND ORDER**

It is ordered that this case shall be dismissed.