

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student and East Hartford Board of Education

Appearing on behalf of the Student: Attorney Richard J. Padykula  
Feinstein Education Law Group LLC  
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Manchester, CT 06355

Appearing on behalf of the Board of Education: Attorney Linda Yoder  
Attorney Benjamin Frazzini Kendrick  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06103-5717

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 a Free Appropriate Public Education from January 2016?
  - a. If so, does the Student require a specialized private school placement; and
  - b. If so, should the Student be placed in a specialized private school placement?
2. If the Board of Education failed to provide the Student with a Free Appropriate Public Education from January 2016, is the Student entitled to compensatory education services?
3. Did the Board of Education fail to provide the Student with a Free Appropriate Public Education from September 2015 through January 2016?
  - a. If so, is the Student entitled to compensatory education services relating to this time?

**PROCEDURAL HISTORY:**

The Student initiated this special education due process case on February 21, 2018. This Impartial Hearing Officer was assigned to the case on February 22, 2018. A Prehearing Conference was convened on March 5, 2018. Attorney Richard Padykula appeared on behalf of the Student and Attorney Linda Yoder appeared on behalf of the Board of Education. It was established that the initial deadline for filing the final decision in this case was May 7, 2018. Evidentiary hearings were scheduled for April 10, 2018 and April 19, 2018

On March 28, 2018 the Board of Education requested a postponement of the hearing dates and an extension of the timelines to conduct the hearing and to file the final decision in this case to June 6, 2018. The purpose of the requested postponement and extension was to allow the parties time to participate in mediation, as an earlier mediation was cancelled due to inclement weather and further delayed by a death in counsel's family. The Student agreed to the requested postponements. A second prehearing conference was conducted and the hearing was rescheduled for May 22, 2018.

On May 11, 2018, the Student reported that the parties had agreed to a settlement in principle of the matter and requested that the hearing of May 22, 2018 be postponed. The Board of Education agreed and the hearing was cancelled.

On May 30, 2018, the Student reported that the parties had not yet finalized the settlement. On May 31, 2018, the Student requested a further extension of the deadline to conduct the hearing and to file the final decision in this case to July 6, 2018. The Board did not object and the request was granted.

On June 28, 2018, the Student reported that the parties had resolved the dispute and requested that the matter be withdrawn or dismissed.

**FINAL DECISION AND ORDER:**

It is ordered that the Student's request is granted and the matter is dismissed.