

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Suffield Board of Education

Appearing on behalf of the Parents: Atty. Nicole A. Bernabo, Klebanoff & Alfano, P.C.,
433 South Main Street, Suite 102, West Hartford, CT 06110

Appearing on behalf of the Suffield Board of Education: Atty. Michael P. McKeon,
Sullivan, Schoen & Connon, LLC, 646 Prospect Avenue, Hartford, CT 06105-4286

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY:

The Parents requested this hearing on April 23, 2007 by letter to the Suffield Interim Director of Pupil Personnel Services and Special Education. A copy was sent on that date to the State Department of Education ("SDE"). In the hearing request, the Parents' attorney indicated that a motion for stay put would be filed. This Hearing Officer was assigned to the case on April 24. On May 3, the Parents' attorney wrote to the Hearing Officer stating that Atty. McKeon would be filing an appearance on behalf of the Board of Education in lieu of previous counsel of record. A prehearing conference was held on May 4. The decision deadline was set at July 9, 2007. Hearing dates were agreed on for June 1, 20, 22 and 28. The June 1 hearing was limited to the motion for stay put. The Parents' attorney was given until May 16 to file the motion for stay put. The Board's attorney was allowed until May 25 to file a response. The decision deadline was reset at July 23, 2007. The Parents' motion was timely filed on May 16 along with Exhibits A through F. On May 25, the Board's attorney filed a list of witnesses and Exhibits B-1 through B-3 to be used at the June 1 hearing on the motion for stay put. He did not file a brief in opposition to the motion. On May 29, the Parents' attorney wrote to the Hearing Officer requesting that her motion be granted without a hearing because of the Board's failure to file an opposition response. She also filed Exhibits P-1 through P-17 to be used at the hearing on June 1, if necessary. On May 31, the Hearing Officer advised the parties that the June 1 hearing would be convened.

The hearing convened on June 1. After discussion with the parties off the record to determine the facts in dispute on the motion for stay put, the Board's attorney was given several opportunities to confer with the Board's representatives. The Board decided to withdraw its opposition to the motion. The Board's attorney requested a postponement of

the June 28 hearing date, which was granted. June 29 was agreed on as a substitute hearing date. The parties agreed to continue discussing a possible resolution of the entire case. On June 6, the Hearing Officer issued an order granting the Parents' Motion for Stay Put at the CREC Riverstreet Coltsville program. The hearing was scheduled to continue on June 20, 22 and 29.

The hearing continued on June 20, 2007. The Parents were present with their attorney, who reported that the parties had reached a settlement agreement. After the parties executed the agreement, the Parents requested a dismissal with prejudice.

FINAL DECISION AND ORDER

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