

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stafford Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Anne H. Littlefield, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2006-2007 school year, appropriate and provide the Student with a Free and Appropriate Public Education (FAPE) according to 20 U.S.C. §§ 1401 et seq?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student is a 12 years old young boy who has been identified as Other Health Impaired ADD/ADHD and is entitled to receive a free and appropriate public education ("FAPE") as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At the October 25, 2006 PPT meeting, the Parents rejected the program offered by the Board for the 2006-2007 school year. On or about November 2, 2006, the Board received notice of the Parents' request for due process. Mediation was held on December 13, 2006. An impartial hearing officer was appointed on November 2, 2006 and a pre-hearing conference was held on November 17, 2006. A hearing date of December 20, 2006 was chosen by the parties. In a letter dated November 13, 2006, the Board's attorney contested the sufficiency of the Parents due process request. At the pre-hearing conference, the Parents agreed to rectify their due process request. On or about November 27, 2006, the hearing officer requested that the Parents comply with the request for a more sufficient due process request. On or about December 12, 2006, the Board filed a Motion to Dismiss based on the Parents lack of compliance with the clarification of the due process request.

On or about December 13, 2006, the Board withdrew their Motion to Dismiss based on the resolution of the matter at Mediation.

In a telephone conversation with the Parents a request was made to the Parents to send the hearing officer notice that the due process hearing would be dismissed with prejudice. The Parents agreed to send the letter, but it was not received.

In order to accommodate the filing of a final order and decision after the hearing date, and to receive the Parents letter of withdrawal, the date for the filing of the Final Order and Decision was extended.

The date for the Final Decision and Order is February 16, 2007.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.