

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Waterbury Board of Education

Appearing on Behalf of the Parent: Pro Se

Appearing on Behalf of the Board: Pro Se

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program and related services offered by the Board for the 2007-2008 appropriate and did the program provide the Student with free and appropriate public education (FAPE) according to 20 USC 1401 et seq?
2. Does the Student require an extended school year in order to receive FAPE?
3. Did the Board commit a procedural violation by not having a supervisor present during the April 26 and June 5, 2007 IEP meeting?

SUMMARY AND PROCEDURAL HISTORY:

This matter was presented as a contested matter pursuant to Connecticut General Statutes (CGS) §10-76h and related regulations, 20 United States Code §1415(f) and related regulations, and in accordance with the Uniform Administration Procedures Act, CGS §§4-176e to 4-178, inclusive, and 4-181a and 4-186.

The Student is a sixteen years 10 months young woman who has been identified with multiple disabilities and is a student 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.

The Parent rejected the program offered to the Student for the 2007-2008 school year. The Parent requested a program that contained specific recommendations to meet the student's special needs and an extended school year program. The Board rejected the Parent's request. On or about August 31, 2007 the Board received notice of the Parent's request for due process. On September 5, 2007, a Hearing Officer was appointed. The parties attempted to mediate the matter between themselves. A hearing date of November 6, 2007 was chosen for this matter.

On or about October 26, 2007, the Parent informed the Hearing Officer that the matter had been settled and that the hearing was being withdrawn. The Hearing Officer requested that the parties advise the hearing officer if the matter was withdrawn with prejudice. Upon receiving no response from the parties the request for withdrawal is granted with prejudice.

The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing date to December 5, 2007.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.