

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

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Appearing on behalf of the Board:

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Appearing before:

Mary H.B. Gelfman, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Were the Individualized Education Programs (IEPs) and placements provided by the Board in 2006-2007 and 2007-2008 appropriate to Student's special education needs in the least restrictive environment? Specifically, were IEP components addressing behavior management, communication, and assistive technology appropriate to Student's individual needs?
2. Could Student's special education needs be addressed in regular education classrooms, most of the school day, with supplementary aids and services and modifications of the regular education curriculum, pursuant to 20 U.S.C. § 1412(a)(5)(A)?
3. Is the Board required to retain an independent consultant acceptable to Parents to assist the Planning and Placement Team (PPT) in IEP development and implementation?
4. [The parties are discussing modifications to Student's "stay put" placement and hope that there will be no dispute concerning the current placement.]
5. Student's IEP includes an extended year program. Is Student also in need of an extended school day in order to benefit from special education?

6. Is compensatory education required to address Parents' concerns about IEPs and placements for 2006-2007 and 2007-2008?

PROCEDURAL HISTORY:

This hearing was requested on December 26, 2007, and the hearing officer was appointed on December 27, 2007. A pre-hearing conference by conference telephone call was held on January 14, 2008. At that time, the hearing was scheduled for March 17, 2008, and the mailing date for the decision was set for April 9, 2008, in order to accommodate mediation scheduled for February 14, 2008.

By letter dated March 13, 2008, the parties requested that the scheduled March 17 hearing session be postponed because settlement negotiations were progressing. The hearing officer granted this postponement. By letter dated March 19, 2008, Parents' request for hearing was withdrawn pursuant to the settlement.

CONCLUSIONS OF LAW AND DISCUSSION:

Section 10-76h, Connecticut General Statutes (C.G.S.), authorizes an impartial hearing officer to conduct a special education hearing and to render a final decision in accordance with Sections 4-176e through 4-180a, inclusive, and Section 4-181a. Federal regulations at 34 C.F.R. § 300.511 also provide for special education hearings.

FINAL DECISION AND ORDER:

The Parents' request for hearing having been withdrawn, this matter is DISMISSED.