

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent: Parent, *Pro se*

Appearing on behalf of the Board: Michelle C. Laubin, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Mary H.B. Gelfman, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board deny the Student a free appropriate public education (FAPE) in the 2006-2007 school year?
2. If so, shall the Board be ordered to reimburse the Parents' itemized educational expenses for that school year?
3. Did the Board deny the Student FAPE in the 2007-2008 school year?
4. If so, shall the Board be ordered to reimburse the Parents' itemized educational expenses for that school year?
5. Did the Board deny the Student FAPE in the current (2008-2009) school year?
6. If so, shall the Board be ordered to reimburse the Parents' itemized educational expenses for that school year?
7. Does the Student require ten to twenty hours per week of home-based 1:1 direct instruction by a qualified person during the current school year in order to benefit from special education?
8. If so, shall the Board be ordered to reimburse the documented cost of such services as provided by the Parents during the current school year?

9. Does the Student require a special education placement that includes ten to fifteen hours per week of access to a group of no more than ten or less than four typically developing four year olds with a 1:1 paraprofessional aide for the 2008-2009 school year?
10. Does the Student require three hours per week of aquatherapy, yoga, and/or hippotherapy, in order to benefit from special education?
11. Does the Student require one hour per week of physical therapy in order to benefit from special education?
12. Is the remainder of the current Individualized Education Program (IEP) appropriate to the Student's special education needs, with the addition of Dr. Schwartz's specific instructional model?
13. Shall a specific placement be ordered for two school years?

PROCEDURAL HISTORY:

The hearing was requested on October 14, 2008, and this Hearing Officer was appointed on October 16. A resolution meeting was held on or about October 28. The pre-hearing conference was held on November 14, and at that time the hearing was scheduled for December 11 and 19, 2008, and January 15 and 22, 2009. The decision date was extended from December 29, 2008, to January 28, 2009, to accommodate the additional hearing dates.

The Parent informed the Hearing Officer on November 25, 2008, that the dispute had been resolved and the request for hearing withdrawn.

All motions and objections not previously ruled upon, if any, are hereby overruled.

In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and related regulations at 34 C.F.R. § 99, the following decision uses "Student", "School", "Parent" and titles of school staff members and other witnesses in place of names and other personally identifiable information.

CONCLUSION OF LAW:

Section 10-76h, Connecticut General Statutes (C.G.S.), and related regulations at Section 10-76h, Regulations of Connecticut State Agencies, authorize 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 Sections 4-181a of the C.G.S. Section 20 U.S.C. § 1415(f) and related regulations at 34 C.F.R. § 300.511 through § 300.520 also authorize special education hearings.

FINAL DECISION AND ORDER:

There being no issues in dispute and the request for hearing having been withdrawn. This matter is DISMISSED with prejudice.