

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on Behalf of the Parent: Attorney Andrew A. Feinstein
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Appearing on Behalf of the Board: Attorney Christine L. Chinni
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Appearing before: Attorney Mary H.B. Gelfman, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Were the Individualized Education Program and placement offered by the Board for the school year 2006-2007, including the summer program for 2007, appropriate to the Student's special education needs in the least restrictive environment?
2. If not, is six months of compensatory education an appropriate remedy?

PROCEDURAL HISTORY:

This hearing was requested on February 23, 2009, and the Hearing Officer was appointed on February 24, 2009. A pre-hearing conference was held by conference telephone call on March 26, 2009, and the hearing was scheduled for April 23, 2009. The final decision and order was due for mailing by or before May 9, 2009.

When the hearing convened on April 23, 2009, the Parties informed the Hearing Officer that they had reached a settlement of all issues in dispute.

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

SUMMARY:

Parents withdrew the Student from the Board's school because they felt that the program being provided was inappropriate. They have requested an appropriate special education program, including some part of the school day with non-disabled peers, compensatory educational services, and reimbursement for tutoring.

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 remaining in dispute and the request for hearing having been withdrawn, this matter is DISMISSED.