

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on Behalf of the Parents: Attorney David C. Shaw  
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Bloomfield, CT 06002

Appearing on Behalf of the Board: Attorney Andreana Bellach  
Shipman & Goodwin, LLP  
300 Atlantic Street  
Greenwich, CT 06901

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Did the program offered by the Board, for the 2007-2008 school year provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Did the program offered by the Board, for the 2008-2009, school year provide the Student with a free and appropriate public education in the LRE?
3. Does the program offered by the Board, for the 2009-2010, school year provide the Student with a free and appropriate public education in the LRE? If not;
4. Should the Board obtain an independent educational consultant acceptable to the Parents to work with the PPT in developing and implementing an appropriate IEP for the Student to participate in regular classes at least 80% of the school day with non disabled peers for the 2009-2010 school year?
5. Should the board reimburse the Parents for the cost of the independent evaluations of Dr. Luddy and Ms. Kardos?
6. Should the board reimburse the Parents for the cost of the 2009 summer program including speech and language instructions?
7. Should the Board provide and pay for an independent educational evaluation by a neuropsychologist acceptable to the Parents?
8. Is the Student entitled for compensatory education for the denial of FAPE during the 2007-2008 school year?
9. Is the Student entitled for compensatory education for the denial of FAPE during the 2009-2010 school year?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 9 year and 7 months old boy who has been previously identified as Intellectually Disabled 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 a PPT meeting the Parents rejected the program being provided by the Board and requested that the Board

provide an appropriate program for the Student. The Board denied the Parents' request to provide another program for the Student and the Parents filed for due process.

On or about June 29, 2009, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on June 29, 2009 and a pre-hearing conference was held on July 10, 2009. A hearing date of September 2, 2009 was chosen by the parties. Mediation was held on August 26, 2009.

In a letter dated August 27, 2009, the Parent's attorney informed the hearing officer that the matter was settled in mediation and the hearing was withdrawn with prejudice. The date for the Final Decision and Order is September 12, 2009.

**FINAL ORDER AND DECISION:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**