

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

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West Hartford, CT 06110

Appearing on behalf of the Board:

Attorney Susan C. Freedman  
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Appearing before:

Attorney Mary H.B. Gelfman, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the program and placement offered by the Board appropriate to the Student's special education needs in the least restrictive environment?
2. If not, is placement in a residential facility such as the May Center, the New England Center for Autism, the League School or Crotched Mountain, appropriate to the Student's special education needs in the least restrictive environment?
3. Is the Board responsible for funding a residential placement for the Student?

**PROCEDURAL HISTORY:**

This hearing was requested on May 24, 2010, and the Hearing Officer was appointed on May 25, 2010. Therefore the date for mailing the final decision and order was August 7, 2010. At a prehearing conference on June 9, 2010, the hearing was scheduled for July 22 and August 3 and 4, 2010. In order to accommodate these additional hearing dates, the Parties requested an extension of the mailing date, which is GRANTED. The mailing date was extended to September 6, 2010. The Parties requested an additional postponement of the hearing to accommodate settlement negotiations. Pursuant to Section 10-76h-9 (e), RCSA, one 30-day postponement for settlement negotiations may be granted. The mailing date for the decision was extended to October 6, 2010, and the hearing was scheduled to convene on September 21, 2010. On September 7, 2010, the Parents informed the Hearing Officer that the Parties had reached a settlement agreement and the request for hearing had been withdrawn.

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

**SUMMARY:**

The Student is a thirteen year old young man with autism. Parents requested a residential placement, which the Board refused.

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:**

The matter having been settled and the request for hearing withdrawn, this case is DISMISSED.