

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. South Windsor Board of Education

Appearing on behalf of the Parents: Attorney Giovanna Shay
Greater Hartford Legal Aid
999 Asylum Street
Hartford, CT 06105

Appearing on behalf of the Board: Attorney Alyce L. Alfano
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the Board from April 29, 2015 to the end of the 2014-2015 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not:
2. Was the program provided by the Board for the beginning of the 2015-2016 school year to December 4, 2015 appropriate and did it provide the Student with FAPE in the LRE?
3. Is the Student entitled to Compensatory Education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents did not agree with the program provided by the Board and requested compensatory education for the denial of FAPE. The Board denied the Parents' request.

On June 9, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on June 9, 2016 and a pre-hearing conference was scheduled for June 23, 2016. The parties agreed to go to mediation; the mediation date was July 14, 2016.


In an electronic transmission, the Parents' attorney advised the hearing officer that the Parents were withdrawing their request for due process without prejudice. The Board did not object. The date for mailing the Final Decision and Order is August 23, 2016.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

Justino Rosado
Hearing Officer Name in Print