

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. South Windsor Board of Education

Appearing on Behalf of the Parents:

Attorney Howard Klebanoff
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Appearing on Behalf of the Board:

Attorney Linda Yoder
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Appearing Before:

Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Was the program offered by the Board for the 2010-2011 school year appropriate and did it provide the Student with a free and appropriate education in the least restrictive environment (LRE)? If not;
2. Does the program at Woodhall School provide the Student with FAPE in the LRE?
3. Should the Board reimburse the Parents for their unilateral placement of the Student at Woodhall School for the 2010-2011 school year?
4. Should the Board reimburse the Parents for their unilateral placement at the Wediko Children's Service?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Multiple Disabilities and is entitled to receive a free and appropriate public education ("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. At a PPT meeting, the Parents rejected the program offered by the Board for the 2010-2011 school year. The Parents requested payment for their unilateral placement of the Student at Woodhall School. The Board refused the Parents' request.

An impartial hearing officer was appointed on May 16, 2011. In a letter to all parties the hearing officer recused herself and another hearing officer was appointed in the matter. On or about May 17, 2011, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting.

A pre-hearing conference was held on May 24, 2011. A hearing date of July 13, 2011 was chosen by the parties. On or about June 29, 2011 the parties mediated the matter. In an electronic transmission dated June 29, 2011, the Parents' attorney advised the hearing officer that the parties were able to resolve the matter and requested that the matter be withdrawn without prejudice. The date for mailing the Final Decision and Order is July 31, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.