

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Torrington Board of Education

Appearing on Behalf of the Surrogate: Attorney Gregory Smith
Gregory Smith, LLC
89 West Lane
Ridgefield, CT 06877

Appearing on Behalf of the Board: Michelle Laubin, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUE:

Is the Student eligible to receive special education and related services as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a?

FINAL DECISION AND ORDER (CORRECTED)

SUMMARY and PROCEDURAL HISTORY:

The Student has not been as identified as 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 Surrogate Parent requested that the student be identified as requiring special education and related services in order to receive a free and appropriate education. The Board refused the Surrogate Parent's request.

On December 12, 2011, the Board received notice of the Surrogate Parent's request for due process. The parties agreed to go to mediation in place of a resolution meeting. An impartial hearing officer was appointed on December 13, 2011 and a pre-hearing conference was held on December 21, 2011. A hearing date of February 15, 2012 was chosen by the parties.

In an electronic transmission, the Surrogate Parent's attorney advised the hearing officer that the parties were able to resolve the matter in mediation and that the matter was withdrawn. The date for mailing the Final Decision and Order is February 25, 2012.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.