

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

Appearing on Behalf of the Parents:

Attorney Albert J. Oneto III
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Hamden, CT 06518

Appearing on Behalf of the Board:

Attorney Marsha Belman Moses
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75 Broad Street
Milford, CT 06460

Appearing Before:

Attorney Justino Rosado
Hearing Officer

ISSUE:

Is the program offered by the Board for the 2011-2012 school year appropriate and does it provide the Student with a free and appropriate public education in the least restrictive environment?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has 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. In a letter requesting due process the Student's legal guardian was of the opinion that the program offered by the Board for the 2011-2012 school year denied the Student FAPE. The Board denied the guardian's statement. The legal guardian requested due process.

A hearing officer was appointed on September 7, 2011. In a letter dated September 14, 2011, the Student's attorney advised the hearing officer that the parties were able to resolve the matter and requested that the matter be withdrawn with prejudice. The date for mailing the Final Decision and Order is October 22, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.