

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on Behalf of the Parents: Alexis N. Highsmith, Esq.
Greater Hartford, Legal Aid, Inc.
999 Asylum Ave., 3rd Fl.
Hartford, CT 06105

Appearing on Behalf of the Board: Melinda Kaufmann, Esq.
City of Hartford, Corp. Counsel
550 Main Street
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program offered by the Board for the 2010-2011 school year appropriate?
2. Should the Board provide the Student with placement in a small therapeutic setting in order to receive FAPE in the LRE?
3. Did the Board commit a procedural violation that denied the Student FAPE by failing to identify the Student as a student requiring special education and relate services in a timely manner?
4. Is the Student entitling to Compensatory Education for the denial of FAPE from December 2009?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Emotional Disturbance and is entitled to receive a FAPE as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parent rejected the program offered by the Board for the 2010-2011 school year. The Parent requested a small therapeutic setting for the Student. The Board refused the Parent's request.

On or about February 9, 2011, the Board received notice of the Parent's request for due process. An impartial hearing officer was appointed on February 7, 2011 and a pre-hearing conference was held on February 15, 2011. The parties chose April 5 and 6, 2011 as hearing dates. A resolution meeting was held on February 10, 2011. In a letter, the Parent's attorney informed the hearing officer that the matter was resolved and the hearing was withdrawn with prejudice. The date for the mailing of the Final Order and Decision is April 25, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.