

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents:

Attorney Andrew Feinstein
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Mystic, CT 06355

Appearing on Behalf of the Board:

Attorney Andreana Bellach
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300 Atlantic Street
Greenwich, CT 06901

Appearing Before:

Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program offered by the Board for the 2011-2012 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
2. Does the program at Hope Academy provide the Student with FAPE in the LRE?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been as identified as Other Health Impaired 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 Board questioned the appropriateness of the placement at Hope Academy. The Parents requested continued placement at Hope Academy for the 2011-2012 school year. On August 24, 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.

An impartial hearing officer was appointed on August 24, 2011 and a pre-hearing conference was held on September 1, 2011. A hearing date of October 7, 2011 was chosen by the parties. In an electronic transmission, the Parents' attorney advised the hearing officer that the parties were able to resolve the matter in mediation and that the parties needed additional time to formalize the agreement. On November 16, 2011, the Parents' attorney advised the hearing officer that the agreement had been finalized and the matter may be withdrawn with prejudice. The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing date. The date for mailing the Final Decision and Order is November 22, 2011.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.