

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on Behalf of the Surrogate:

Pro Se

Appearing on Behalf of the Board:

Attorney Melinda B. Kaufmann  
Assistant Corporation Counsel  
Hartford Board Of Education  
550 Main Street  
Hartford, CT 06103

Appearing Before:

Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the program offered by the Board during the 2009-2010 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment?
2. Was the program offered by the Board during the 2010-2011 school year appropriate and did it provide the Student with a FAPE in the least restrictive environment?
3. Is the proposed placement of the Student at Northwest Village School for the 2011-2012 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
4. Should the Student be placed at another residential placement?
5. Should the Board fund an independent neuropsychological evaluation of the Student?
6. Should the Board fund independent reading and sensory integration evaluations of the Student?
7. Is the Student entitled to compensatory education for the denial of FAPE for the 2009-2010 and 2010-2011 school years?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student has been identified with Emotional Disturbance 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. The Surrogate Parent did not agree with the placement proposed by the Board for the 2011-2012 school year and requested another residential placement and evaluations for the Student. The Board refused the Surrogate Parent's request.

On or about September 28, 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 September 29, 2011 and pre-hearing conferences were held on October 6 and October 24, 2011. A sufficiency challenge was filed by the Board; the due process request was found insufficient. An amended complaint was filed on October 17, 2011 which altered the timeline. The parties chose November 30, 2011 as the hearing date.

In an electronic transmission, the Surrogate Parent advised the hearing officer that the parties were able to resolve the matter in mediation and requested that the matter be withdrawn with prejudice. The date for the mailing of the Final Decision and Order was changed to December 31, 2011 to accommodate the amended complaint.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**