

April 2, 2012

Final Decision and Order 12-0273

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hamden Board of Education

Appearing on Behalf of the Parent:

Pro Se

Appearing on Behalf of the Board:

Attorney Marsha Belman Moses  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing Before:

Attorney Justino Rosado  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Should the Board be allowed to transfer the Student from Bearpath Elementary School to Shepherd Glen Elementary School for the 2011-2012 school year?

**SUMMARY and PROCEDURAL HISTORY:**

The Student has been as identified with Specific Learning Disability 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 Parent rejected the transfer of the Student to another school for the 2011-2012 school year. The Parent requested that the Student remain at his current school. The Board refused the Parent's request.

On February 1, 2012, the Board received notice of the Parent's request for due process. The parties agreed to go to a resolution meeting. An impartial hearing officer was appointed on February 1, 2012 and a pre-hearing conference was held on February 16, 2012. At the pre-hearing conference the Board's attorney advised the hearing officer that the matter was resolved at the resolution meeting and the Parent would send a withdrawal of the request for due process.

On or about March 1, 2012, the Parent sent a letter withdrawing the request for due process with prejudice. The withdrawal with prejudice was granted. The date for mailing the Final Decision and Order is April 15, 2012.

**FINAL DECISION AND ORDER:**

The matter is dismissed with prejudice.