

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

Parent, *Pro se*

Appearing on behalf of the Board:

Michelle Laubin, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Mary H.B. Gelfman, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Student require behavioral therapy in order to benefit from special education?
2. If so, shall behavioral therapy be provided in an extended day kindergarten setting or in the Student's home?

PROCEDURAL HISTORY:

This hearing was requested by Parent on November 11, 2010 and the Hearing Officer was appointed on November 16, 2010. The date for mailing the decision was January 29, 2011.

A pre-hearing conference was held on December 16, 2010. At that time, the Parties reported that they had agreed to waive the resolution meeting and request mediation from the State Department of Education. Mediation was scheduled for January 5, 2011. The Parties requested, and the Hearing Officer granted, an extension of the mailing date to provide for settlement negotiations, making the mailing date February 28, 2011. The hearing was scheduled for January 20 and February 3, 2011.

Although the Parties did not reach an agreement at the mediation session, negotiations continued and eventually a settlement was achieved. The hearing sessions were postponed, and then cancelled, and Parent withdrew the request for hearing on January 27, 2011.

All motions and objections not previously ruled upon, if any, are hereby overruled.

SUMMARY:

This five-year old child had been diagnosed with Attention Deficit Hyperactivity Disorder and was attending school with paraprofessional support. The physicians consulted by Parents recommended behavioral therapy. Parents requested that behavioral therapy be provided either in their home or in an extended day kindergarten program. The school denied this request.

In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and related regulations at 34 C.F.R. § 99, the following decision uses "Student", "School", "Parent". And titles of school staff members and other witnesses in place of names and other personally identifiable information.

FINAL DECISION AND ORDER:

The dispute between Parents and the School District having been settled and the Parents' request for a hearing having been withdrawn, this matter is DISMISSED without prejudice.