

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wethersfield Board of Education

Appearing on behalf of the Parents: Attorney Howard Klebanoff
Klebanoff & Phelan, P.C.
Corporate Center West
433 South Main Street – Suite 102
West Hartford, Connecticut 06110

Appearing on behalf of the Board: Attorney Susan Freedman
Shipman & Goodwin, LLC
One American Row
Hartford, Connecticut 06103-2819

Appearing before: Attorney Justino Rosado, Hearing Officer

FINAL DECISION AND ORDER

SUMMARY:

The student is an sixteen and ½ years-old young man who has been diagnosed as Asperger’s Syndrome and eligible for special education and related services as defined on 20 U.S.C. Section 1401 et seq. The parents requested a due process hearing alleging that the program offered by the Board was not appropriate and that the student needed a residential placement.

On August 21, 2001 a 30 day extension was granted to the parties in order for the parties to try and mediate the matter. The case was scheduled for a hearing on October 5, 2001. At the October 5, 2001 hearing date the parties asked for a delay to the start of the hearing in order to have the parties memorialize an agreement. The hearing was started and the parent’s through their attorney withdrew their request for a due process hearing. The parties were canvassed that they were in agreement for the hearing request to be withdrawn with prejudice. The hearing was then dismissed with prejudice.

To the extent the summary of facts and finding of facts actually represent conclusions of law, they should be so considered and visa versa. Bonnie Ann F. v Callallen Independent School Board, 835 F.Supp. 340 (S.D. Tex. 1993).

FINAL DECISION AND ORDER:

THE DUE PROCESS HEARING IS DISMISSED WITH PREJUDICE.