

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Montville Board of Education

Appearing on behalf of the Parents: Attorney Nicole Bernabo, Klebanoff & Alfano, 433 South Main Street, Suite 102, West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Anne Littlefield, Shipman & Goodwin, One Constitution Plaza, Hartford, CT 06103

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide the Student a free appropriate public education [hereinafter FAPE] during the 2005-2006 school year, including extended school year services?
2. Did the Board provide the Student FAPE during the 2006-2007 school year, including extended school year services?
3. Did the Board timely offer the Student FAPE for the 2007-2008 school year, including extended school year services?
4. Did the Board comply with the procedural requirements of federal and state law as it applies to the development of and implementation of the Student's IEP for the 2005-2006, 2006-2007 and 2007-2008 school years?
5. Is the day program at Franklin Academy an appropriate placement for the Student for the 2006-2007 and 2007-2008 school years, including the extended day, and including extended school year programming during the summer 2007?
6. As an alternative remedy, is the family entitled to compensatory education in the form of reimbursement and/or placement for the day program (including extended day and extended school year) at Franklin Academy for the 2006-2007, 2007-2008 and 2008-2009 school years due to the procedural and substantive violations committed by the Board during the 2005-2006 and the 2006-2007 school years, and for the failure of the Board to timely address the 2007-2008 school year program.
7. Did the Board offer the Student FAPE for the 2007-2008 school year, including extended school year services.

8. If not, is the day program at Franklin Academy an appropriate placement for the Student for the 2007-2008 school year, including the extended day, and including extended school year programming during the summer 2007.

SUMMARY:

The Board received this request for hearing filed on behalf of the Parents on April 4, 2007, and a prehearing conference convened on April 13. The issues were subsequently amended by agreement of the parties.

On May 8 the hearing convened. At that hearing, the parties reported that this matter had been settled.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, with prejudice.