

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent (Mother): Attorney Hannah Benton  
Center for Children's Advocacy  
University of Connecticut School of Law  
65 Elizabeth Street  
Hartford, CT 06105

Appearing on behalf of the Board: Attorney Melinda B. Kaufmann  
Assistant Corporation Counsel  
City of Hartford  
550 Main Street  
Hartford, CT 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board fail to provide the Student with a Free Appropriate Public Education ("FAPE") by not reviewing his October 30, 2007 Individualized Education Program ("IEP") within one year to amend his goals and objectives, which resulted in the Student not having an IEP with current goals and objectives from October 30, 2008 until May 13, 2009?
2. Did the Student fail to make any progress on the social and behavioral goals established on October 30, 2007 as indicated by frequent school suspensions during the 2008-2009 school year?
3. Should the Board have convened a Planning and Placement Team ("PPT") to create a new Behavior Improvement Plan ("BIP") prior to May 13, 2009?
4. Should the Board be required to place the Student in a private alternative placement for diagnostic purposes where a rigorous, evidence-based Functional Behavior Assessment ("FBA") could be performed and a new, appropriate BIP could be developed?
5. Did the Board fail to provide the Student with a FAPE by placing him in a setting which contains no quiet space for de-escalation or structured social skills curriculum?
6. Did the Board deny the Student a FAPE by failing to provide academic instruction, including computerized instruction, and academic curricula in reading, writing and mathematics?

7. Did the Board fail to implement the October 30, 2007 IEP by not providing the Student with a science class?
8. Should the Board be required to provide the Student with four hours of tutoring per week with a certified special education teacher as compensatory education for denial of a FAPE?

**PROCEDURAL HISTORY:**

The Parent's attorney requested this hearing by faxing and mailing a letter dated June 1, 2009 to the State Department of Education ("SDE"). The Board of Education received a copy of the letter on June 2, 2009. This Hearing Officer was assigned to the case on June 4, 2009. A prehearing conference was held on June 16, 2009. Hearing dates were agreed on for July 22, 2009 and July 24, 2009 and August 4, 2009. The mailing date for the final decision was August 17, 2009. On June 16, the Parent's attorney, with consent of the Board's attorney, requested an extension of the mailing date for the final decision to August 28, 2009, which was granted. On July 9, 2009, the Parent's attorney notified the Hearing Officer that all issues had been resolved by written agreement through mediation and that, as part of the agreement, the hearing request was withdrawn.

**FINAL DECISION AND ORDER:**

It is ordered that this case shall be dismissed.