

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. North Haven Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Attorney Linda L. Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Is the program offered by the Board for the 2009-2010 school year appropriate and does it provide the student with free appropriate public education (FAPE) in the least restrictive environment (LRE) as defined in 20 USC 1401 et seq? If not;
2. Was the program offered by the Board at the May 2009 PPT meeting appropriate and did it provide the Student with FAPE in the LRE?
3. Did the Board commit a procedural violation which caused a denial of FAPE by impeding the parent's meaningful participation in the PPT process and not giving the parent proper notice?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 18 year old man who has been previously identified with Autism and is entitled to receive FAPE as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting the Student rejected the program offered by the Board for the 2009-2010 school year and requested that the IEP presented at the May 2009 PPT be implemented. The Board denied the Student's request and the Student filed for due process.

On or about August 28, 2009, the Board received notice of the Student's request for due process. An impartial hearing officer was appointed on September 2, 2009 and a pre-hearing conference was held on September 17, 2009. A hearing date October 29, 2009 was chosen by the parties. Mediation was held on September 30, 2009.

At the mediation meeting, the parties resolved their issues and the Student withdrew the due process request with prejudice.

The date for the mailing of the Final Decision and Order is October 29, 2009.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**