

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

Attorney Courtney Spencer  
Law Office of Courtney P. Spencer  
701 Hebron Avenue  
Glastonbury, CT 06033

Appearing on behalf of the Board:

Attorney Christine Chinni  
Chinni & Meuser, LLC  
30 Avon Meadow Lane  
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Appearing before:

Attorney Mary H.B. Gelfman, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Has the Board provided an Individualized Education Program (IEP) and placement appropriate to the Student's special education needs in the least restrictive environment?
2. If the Board's IEP and/or placement are not appropriate to the Student's special education needs, is a residential placement at the May Institute (or a similar program) necessary to meet the Student's needs?
3. If a residential placement is necessary, is the Board responsible for fully funding such placement, or are the Board's funding responsibilities limited to the provision of educational services pursuant to Section 10-76 d (d), C.G.S.?
4. Is the Student entitled to compensatory education?

**PROCEDURAL HISTORY:**

This hearing was requested on July 13, 2010, and the Hearing Officer was appointed on July 14, 2010. A pre-hearing conference was held by conference telephone call on July 28, 2010. The hearing was scheduled for August 18, September 23 and October 19, 2010. After mediation on August 9, 2010, the matter was settled and the request for hearing was withdrawn on August 11, 2010.

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

**SUMMARY:**

The Student who is seventeen years of age, is classified as Other Health Impaired. She is currently diagnosed as having relapsing, remitting multiple sclerosis. Her parents requested placement in a residential school: the Board believed that the program being provided in a local school was appropriate.

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.

**CONCLUSIONS OF LAW:**

Section 10-76h, Connecticut General Statutes (C.G.S.), and related regulations at Section 10-76h, Regulations of Connecticut State Agencies, authorize an impartial hearing officer to conduct a special education hearing and to render a final decision in accordance with Sections 4-176e through 4-180a, inclusive, and Sections 4-181a of the C.G.S. Section 20 U.S.C. § 1415(f) and related regulations at 34 C.F.R. § 300.511 through § 300.520 also authorize special education hearings.

**FINAL DECISION AND ORDER:**

The matter having been settled and the request for hearing withdrawn, this case is DISMISSED.