

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Torrington Board of Education

Appearing on Behalf of the Parents: Attorney Howard Klebanoff
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

Appearing on Behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2010-2011 school year appropriate and provide the Student with a free and appropriate education (FAPE) in the least restrictive environment (LRE)? If not;
2. Should the Student be placed in a residential program in order to receive FAPE in the LRE?

SUMMARY and PROCEDURAL HISTORY:

The Student is 13 years and 10 months old, has been identified with Multiple Disabilities and is entitled to receive a free and appropriate public education (“FAPE”) as defined in the Individuals with Disabilities Education Improvement Act (IDEIA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents rejected the program offered by the Board for the 2010-2011 school year. The Parents requested a residential placement for the Student. The Board refused the Parents’ request.

On or about August 19, 2010, the Board received notice of the Parents’ request for due process. The parties agreed to go to mediation in place of a resolution meeting. A mediation date of November 9, 2010 was chosen by the parties.

An impartial hearing officer was appointed on August 17, 2010 and a pre-hearing conference was held on September 10, 2010. A hearing date of November 8, 9 & 10, 2010 was chosen by the parties. At the request of the parties the hearing dates were cancelled in order to accommodate the mediation.

On or about November 15, 2010, the Parents’ attorney, at the request of the Parents, requested a withdrawal of the matter without prejudice. The parties agreed to the withdrawal and it was granted.

The date for mailing the Final Decision and Order is December 3, 2010.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.