

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Attorney Andreana Bellach
Attorney Gwen J. Zittoun
Shipman & Goodwin, LLP
300 Atlantic Street
Greenwich, CT 06901

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2009-2010 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the Program offered by the Board for the 2010-2011 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
3. Is the unilateral placement of the Student at Villa Maria Education Center for the 2010-2011 appropriate and does it provide the Student with FAPE in the LRE?
4. Should the Board pay for the unilateral placement of the Student at Villa Maria Education Center from February 9, 2009 to the end of the 2009-2010 school year?
5. Did the Board fail to provide prior written notice in a timely manner to the Parents at the August 16, 2010 PPT meeting?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Learning Disabilities and is entitled to receive a free and appropriate public education ("FAPE") as defined in 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 placement at Villa Maria Education Center. The Board refused the Parents' request. On or about October 7, 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. Mediation was held on November 30, 2010. An impartial hearing officer was appointed on October 7, 2010 and a pre-hearing conference was held on October 26, 2010. Hearing dates of December 8 and 13, 2010 were chosen by the parties.

In an electronic transmission dated December 17, 2010, the Parents advised the hearing officer that the parties were able to resolve the matter and requested that the due process request is withdrawn. On or about November 15, 2010, the parties informed the hearing officer that the matter was ratified and the hearing was withdrawn with prejudice.

At the request of the parties, in order to accommodate the mailing of a final decision and order after the hearing dates, the date for the mailing of the Final Decision and Order was extended. The date for mailing the Final Decision and Order is December 21, 2010.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED.