

July 28, 2011

Final Decision and Order 11-0474

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Newington Board of Education

Appearing on Behalf of the Parents: Parents, Pro Se

Appearing on Behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Is the program provided by the Board for the 2010-2011 school year appropriate and does it provide the Student with a free and appropriate public education in the least restrictive environment?
2. Does the Student require residential placement at the Grace Webb School for the 2010-2011 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Emotional Disturbance and is entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 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 2011-2012 school year. The Parents requested placement at Grace Webb School. The Board refused the Parents' request. On or about May 31, 2011, 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 July 14, 2011.

An impartial hearing officer was appointed on June 2, 2011 and a pre-hearing conference was held on June 7, 2011. Hearing dates of July 22 and 29, 2011 were chosen by the parties. In an electronic transmission dated July 14, 2011, the Parents advised the hearing officer that the parties were able to resolve the matter. The date for mailing the Final Decision and Order is August 4, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.