

July 14, 2011

Final Decision and Order 11-0495

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Newington Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the homebound tutoring program offered by the Board from June 6, 2011 to the end of the 2010-2011 school year appropriate and did it provide the Student with a free appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Should the Student continue at the Grace Webb Academy for the 2010-2011 school year?
3. Should the Student receive extended school year services for the summer of 2011 at the Grace Webb Academy?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified as Emotionally Disturbed and is entitled to receive 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 Parent requested that the Student remain at the Grace Webb Academy for the balance of the 2010-2011 school year. The Board refused the Parent's request. An impartial hearing officer was appointed on June 15, 2011, and a pre-hearing conference was scheduled for July 7, 2011.

On or about June 15, 2011, the Board received notice of the parent's request for due process. The parties agreed to a resolution meeting. The parties were able to resolve the matter at the resolution meeting. The Parent notified the hearing officer that an agreement had been ratified and withdrew the request for due process with prejudice. The date for the Final Order and Decision is July 30, 2011.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITH PREJUDICE.