

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

Parent, Esq.
Pro se

Appearing on behalf of the Board:

Marsha Belman Moses, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Mary H.B. Gelfman, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate Individualized Education Program (IEP) and placement in the least restrictive environment for the Student for the 2010-2011 school year?
2. If not, was the Parents' unilateral placement of the Student at Eagle Hill Southport an appropriate special education placement in the least restrictive environment?
3. Is the Board responsible for reimbursing the Parents for the documented cost of the Student's 2010-2011 placement at Eagle Hill Southport?

PROCEDURAL HISTORY:

This hearing was requested by Parents on June 8, 2011. The Hearing Officer was appointed on June 15, 2011. The date for mailing the decision is August 22, 2011.

A pre-hearing conference was held on June 23, 2011. At that time, the Parties reported that mediation had been requested. The hearing was scheduled for July 21, 25, 26 and 27, 2011. On July 11, 2011, the Parents requested a continuance of the hearing to provide time for mediation. The matter was settled in mediation and the request for hearing was withdrawn on July 22, 2011.

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

SUMMARY:

The Student received special education services in the Board's school as a student with a specific learning disability. Dissatisfied with Student's limited progress, Parents requested an independent evaluation and eventually placed their son in a private school.

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 case having been settled in mediation and the request for hearing withdrawn, this matter is DISMISSED with prejudice.