

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Bristol Board of Education

Appearing on Behalf of the Parents: Anne. I. Treimanis, Esq.,
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Norwalk, CT 06850

Appearing on Behalf of the Board: Attorney Linda Yoder
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Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program provided 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 extended school year program (ESY) for the summer 2009 appropriate and did it provide the Student with FAPE in the LRE?
3. Was the program provided by the Board for the 2010-2011 school year appropriate and did it provide the Student with FAPE in the LRE?
4. Was the ESY for the summer 2010 appropriate and did it provide the Student with FAPE in the LRE?
5. Was the program offered by the Board for the 2011-2012 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
6. Does the Student need an outplacement program for the 2011-2012 school year in order to receive FAPE in the LRE?
7. Is the ESY program proposed by the Board for the summer of 2011 appropriate and does it provide the Student with FAPE in the LRE?
8. Should the Board reimburse the Parents for the evaluations performed by the Dr. Powers' Group?
9. Should the Board reimburse the Parents for the evaluations performed by the Kennedy Kreiger Center?
10. Should the Board reimburse the Parents for the evaluations performed by the Talcott Child Development Center?

11. Should the Board reimburse the Parents for the evaluations performed by Connecticut Children's Medical Center?
12. Does the Student require an Independent Consultant in order to receive FAPE?
13. Is the Student entitled to compensatory education for the denial of FAPE for the 2009-2010 school year?
14. Is the Student entitled to compensatory education for the denial of FAPE for the 2010-2011 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been as identified with Autism 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 an outplacement for the Student. The Board refused the Parents' request.

On or about June 14, 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. An impartial hearing officer was appointed on June 30, 2011 and a pre-hearing conference was held on July 7, 2011. Hearing dates of July 29, 2011, August 1 and August 2, 2011 were chosen by the parties. In an electronic transmission the Board requested postponement of the hearing dates and extension of the mailing date of the final decision and order. The Parents' attorney did not file a written objection to the request and on or about July 26, 2011 the request was granted. The new hearing dates chosen by the parties were August 18, 23, 30 and 31, 2011.

In an electronic transmission dated August 7, 2011, the Parents' attorney advised the hearing officer that the parties were able to resolve the matter at the August 5, 2011 mediation session and asked that the matter be withdrawn with prejudice. In order to accommodate the hearing dates and a timely mailing of the final decision and order, the date for the mailing of the Final Order and Decision was extended to September 29, 2011.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITH PREJUDICE.