

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on Behalf of the Parents:

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Appearing on Behalf of the Board:

Rebecca R. Santiago
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Appearing Before:

Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Was the program offered by the Board for the 2010-2011 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 2011-2012 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Is the program at Devereux School appropriate and does it provide the Student with FAPE in The LRE?
4. Should the Board pay for the placement of the Student at Devereux for the 2011-2012 school year?
5. Is the Student entitled to compensatory education for the 2010-2011 school year for the denial of FAPE?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a student who has been as identified with a Specific Learning Disability 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

August 19, 2011

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of the Student at Devereux for the 2011-2012 school year. The Board refused the Parents' request and the Parents filed for due process.

On or about June 27, 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 24, 2011 and a pre-hearing conference was held on June 30, 2011. A hearing date of August 12, 2011 was chosen by the parties.

On or about August 1, 2011, the Parents informed the hearing officer that they wanted to withdraw the matter without prejudice. The Board did not object to the request and the withdrawal was granted. The date for mailing the Final Decision and Order is September 10, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.