

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Glastonbury Board of Education

Appearing on Behalf of the Parents: Attorney Marisa A. Mascolo
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Appearing on Behalf of the Board: Attorney Susan C. Freedman
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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? If not;
3. Does the program at Oxford Academy provide the Student with FAPE in the LRE? If yes;
4. Should the Board pay for the expenses incurred for placement of the Student at Oxford Academy for the 2011-2012 school year?
5. 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 as Other Health Impaired, Attention Deficit Hyperactivity Disorder 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 of the Student at Oxford Academy for the 2011-2012 school year. The Board refused the Parents' request and the Parents filed for due process.

On or about June 24, 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 14, 2011. Hearing dates of August 22 and 24, 2011 were chosen by the parties.

In an electronic transmission the Parents' attorney advised the hearing officer that the parties were able to resolve the matter in mediation and that the matter is withdrawn with prejudice. The withdrawal with prejudice was granted. The date for mailing the Final Decision and Order is September 7, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.