

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v. Stonington Board of Education

Appearing on Behalf of the Parents: Attorney Andrew Feinstein  
Attorney at Law, LLC  
86 Denison Avenue  
Mystic, Ct 06355

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Is the program offered by the Board for the 2011-2012 school year appropriate and does it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Is the unilateral placement of the Student at Franklin Academy providing the Student with FAPE in the LRE?

**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 placement at Franklin Academy for the 2011-2012 school year. The Board refused the Parents' request.

On or about July 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 July 18, 2011 and a pre-hearing conference was held on July 22, 2011. A hearing date of September 7, 2011 was chosen by the parties. In an electronic transmission, the Parent's 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advised the hearing officer that the parties were able to resolve the matter in mediation and that the matter is withdrawn with prejudice.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 27, 2011.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**