

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Suffield Board of Education

Appearing on behalf of the Parent: Attorney Lynn Cochran  
Greater Hartford Legal Aid  
99 Asylum Street, 3<sup>rd</sup> Floor  
Hartford, Ct 06103

Appearing on behalf of the Board: Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before: Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the program provided by the Board for the 2011-2012 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 2012-2013 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Does the Student require a comprehensive reading and mathematics evaluation in order to accurately assess her current level of performance? If yes;
4. Should the Board convene a planning and placement team (PPT) meeting to discuss evaluation results and develop an appropriate individual education program (IEP) designed to increase her ability in the areas tested? If yes;
5. Is the Student entitled to receive special education services in the areas tested as long as she is eligible and requires the program?
6. Is the Student entitled to Compensatory Education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in the Individuals With Disabilities Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2012-2013 school year. The Parents requested a reading and mathematics evaluation. The Board refused the Parents' request.

On June 21, 2013, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting. The mediation session was held on July 17, 2013.

September 4, 2013

Final Decision and Order 13-0572

An impartial hearing officer was appointed on June 24, 2013 and a pre-hearing conference was held on July 8, 2013. Hearing dates of August 15 and 19, 2013 were chosen by the parties.

In an electronic transmission, the Parents' attorney advised the hearing officer that the parties were able to resolve the issues and requested that the matter be withdrawn without prejudice. There was no objection by the Board. The withdrawal was granted.

The date for mailing the Final Decision and Order is September 5, 2013.

**FINAL DECISION AND ORDER:**

**THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.**