

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.  
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Appearing on Behalf of the Board: Lawrence J. Campana, Esq.  
Sullivan, Schoen, Campana & Connon, LLC  
646 Prospect Avenue  
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Appearing Before: Attorney Justino Rosado, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the program offered by the Board for the 2004-2005 school years appropriate?  
If not;
2. Is the program offered at Maplebrook School in Amenia, New York provide an appropriate education as defined in 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a?

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 13 year-old young woman who has been identified as Specific Learning Disabled and is entitled to receive a free and appropriate public education. The Parents rejected the 2004-2005 IEP and requested placement at Maplebrook School in Amenia, New York at the Board's expense. The Board refused the Parents' request and the Parents requested a Due Process Hearing.

On July 29, 2004, a Hearing Officer was appointed and a hearing date was scheduled for September 14, 2004. In order to resolve the matter, the Parents requested a postponement of the hearing date. The Hearing Officer granted the request.

On October 27, 2004 the Hearing Officer recused herself and another hearing officer was appointed. A pre-hearing conference was held on November 4, 2004 and an agreed upon hearing date of December 3, 2004 was scheduled by all parties. The parties on or about November 23, 2004, requested that the hearing date be postponed in order to finalize an agreement. The hearing date was cancelled. On January 6, 2005, the Parents sent a facsimile transmission to the Hearing Officer informing him that an agreement had been signed by all parties and the hearing request was withdrawn with prejudice. The date for the Final Order and Decision was extended by the parties to February 6, 2005.

**FINAL DECISION AND ORDER:**

THE MATTER IS DISMISSED WITH PREJUDICE.