

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Milford Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.
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West Hartford, CT 06110

Appearing on Behalf of the Board: Marsha Belman Moses, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL ORDER AND DECISION

ISSUES:

1. Is the program offered by the Board for the 2004-2005 school years appropriate?
If not;
2. Is the program offered at Hoosac School provide an appropriate education as defined in 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a? If yes,
3. Is the Board responsible for the residential portion of the cost of the educational placement?

SUMMARY and PROCEDURAL HISTORY:

The student is a 14 years and 11 months young man who has been identified as Other Health Impaired (OHI) ADD/ADHD, Specific Learning Disability and Emotionally Disturbed and is entitled to receive a free and appropriate public education as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents rejected the 2004-2005 IEP and requested placement at Hoosac School at the Board's expense and reimbursement for the placement at Hoosac School. The Board refused the Parents' request and the Parents requested a Due Process Hearing.

On December 14, 2004, a Hearing officer was appointed, a pre-hearing conference was held on December 16, 2004 and agreed upon hearing dates of January 24, 31, February 1 and March 2 and 3, 2005 were scheduled.

The hearing dates of January 24, 31 and March 2, 2005 were cancelled. At the March 3, 2005, a letter from the Parents was read on the record advising the hearing officer that the parties had reached an agreement and the hearing request was withdrawn without prejudice.

The date for the Final Order and Decision was extended by the parties to March 28, 2005.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.