

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stratford Board of Education

Appearing on Behalf of the Parent: Walter R. Keenan, Esq.
65 Jacobs Hill Road
Mansfield Center, CT 06250

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the program provided by the Board for the 2004-2005 school year appropriate and provide the Student with a free appropriate public education (FAPE) as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a ?
2. Is the program provided by the Board for the 2005-2006 school year appropriate and provide the Student with a free appropriate public education (FAPE) as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a ? If not;
3. Does the program requested by the Parent at Giant Steps School in Southport, CT, provide the Student with an appropriate program?
4. Should the Board be responsible for the cost of the Student's placement at Giant Steps School?
5. Should the Board provide the Student with compensatory education for the 2004-2005 and 2005-2006 school years?

SUMMARY and PROCEDURAL HISTORY:

The Student is a 5 years and 3 months young boy who has been identified as a developmentally delayed student requiring special education and related services 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. At Individualized Education Program (IEP) meetings on March 9, June 8, November 7, 2005 and January 5 and January 19, 2006 the Parent disagreed and rejected the IEP proposed by the Board. The Parent was seeking that the Student be placed at Giant Steps School in Southport, CT. The Board rejected the Parent's request. On or about April 12, 2006 the Parent sent the Board a letter advising them that they were requesting a Due Process hearing.

On or about April 12, 2006 an impartial special education Hearing Officer was appointed to hear the matter. A pre-hearing conference was held on April 27, 2006, at which time hearing dates of May 19, June 2 and June 13, 2006 were chosen by the parties. The hearing date of May 19, 2006 was cancelled at the request of the parties in order to accommodate their mediation of the matter.

In a letter to the Hearing Officer, the Parent's attorney requested a withdrawal of the matter without prejudice.

At the request of the parties, in order to accommodate the filing of a Final Decision and Order after the hearing dates, the date for the filing of the Final Decision and Order was extended. The date for the Final Decision and Order is July 17, 2006.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.