

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Willington Board of Education

Appearing on Behalf of the Parents: Susan Lee Heintz, Esq.
P.O. Box 214-A
Staffordville, CT 06077

Appearing on Behalf of the Board: Daniel P. Murphy, Esq.
Siegel, O'Connor, O'Donnell & Beck, P.C.
150 Trumbull Street
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student a student eligible for special education and related services as stated in The Individuals With Disabilities Education Act (IDEA) 20 U.S.C. §§ 1401 et seq and Connecticut General Statute §10-76a?

SUMMARY and PROCEDURAL HISTORY:

The Student is a 3 years 11 months young man who has not been identified as a Student requiring special education and is not 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 Student's Parents rejected the Board's denial of the Student's ineligibility under IDEA. On or about May 11, 2006 the Board received a letter advising them that the Parents were requesting a Due Process hearing.

On or about May 10, 2006 an impartial special education Hearing Officer was appointed to hear the matter. On or about May 24, 2006 a telephonic pre-hearing conference was held and hearing dates of June 26 and June 30, 2006 were chosen by the parties.

The parties instead of a resolution meeting went to mediation. At mediation the parties reached an agreement in principle.

The parties informed the Hearing Officer that the matter was settled and were withdrawing the matter with prejudice.

The Final Decision and Order date was extended to accommodate the hearing dates and the filing of a decision.

The date for the Final Decision and Order is August 11, 2006.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.