

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Middletown Board of Education

Appearing on Behalf of the Parents: David C. Shaw, Esq.  
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Appearing on Behalf of the Board: Linda Yoder, Esq.  
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Appearing Before: Attorney Justino Rosado  
Hearing Officer

**ISSUES:**

1. Is the Transition Plan as presented by the Board appropriate?
2. Does the IEP provided by the Board for the 2005-2006 school year appropriate and provide the student with a Free and Appropriate Public Education (FAPE)?
3. Does the IEP provided by the Board for the 2006-2007 school year appropriate and provide the student with FAPE?
4. Was the Board's decision to exit the student from special education and related services appropriate?
5. Is the student entitled to compensatory education?

**FINAL ORDER AND DECISION**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 22 year and 1 months old young woman who has been identified with Intellectual Disability and entitled to receive a free and 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. At a May 18, 2006 PPT, the guardians rejected the program and the Transition Plan offered by the Board for the 2006-2007 school year. The Board received notice of the request for due process on or about June 16, 2006 and a Mediation meeting was held by the parties on or about August 7, 2006.

On June 16, 2006 an impartial hearing officer was appointed. A pre-hearing conference was held on June 27, 2006 and a hearing date of August 4, 2006 was chosen by the parties. This hearing date was cancelled in order to allow the parties to proceed with mediation. Alternative hearing dates of August 31, 2006 and September 5, 2006 was chosen by the parties. The parties again requested cancellation of the hearing dates and an alternative hearing date of September 19, 2006 was chosen.

The guardians attorney in a letter advised the hearing officer that the matter had been settled and withdrew the matter with prejudice.

The order and decision date was extended in order to accommodate the hearing date.  
The date for the Final Decision and Order is November 14, 2006.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**