

**DEPARTMENT OF EDUCATION**

Student v. Monroe Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.  
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Appearing on Behalf of the Board: Marsha B. Moses, Esq.  
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Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

**FINAL ORDER AND DECISION**

**ISSUE:**

1. Is the program offered by the Board for the 2006-2007 school year appropriate and in the Least Restrictive Environment? If not;
2. Is the program at St. Catherine's Academy in Bridgeport, CT, appropriate and provide the student with a free and appropriate public education?

**SUMMARY and PROCEDURAL HISTORY:**

The student is a 5 years and 11 months young child who has been identified as a 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 a March 21, 2006 PPT, the Parents rejected the program offered by the Board and requested out of district placement at the Board's expense. The Board rejected the Parents' request. On or about June 29, 2006 the Parents sent the Board a letter advising them that they were requesting a due process hearing.

On or about June 29, 2006 an impartial special education hearing officer was appointed to hear the matter. A pre-hearing conference was held on July 13, 2006 and hearing date of September 19, 2006 was chosen by the parties. The parties waived the necessity of a resolution meeting or mediation.

The Parents in a letter to the Hearing Officer withdrew their request for a due process without prejudice. This request was granted.

The date for the decision and order was extended to accommodate the hearing dates.

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

**FINAL DECISION AND ORDER:**

**THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.**