

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Simsbury Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Susan C. Freedman, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Is Auditory Integrated Therapy appropriate for the Student and if so, is the Board required to pay for the Auditory Integrated Therapy sessions?
2. Should the Board be required to provide a third party ombudsman to assist the Parents and the Board?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student is a 13 year and 3 months old young man who has been identified with Autism 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 July 10, 2006 PPT, the Parents rejected the program offered by the Board for the 2006-2007 school year. The Parents requested that the Board pay for an Auditory Integrated and a third party ombudsman to assist the Parents and the Board. The Board denied the Parents’ request and the Parents requested a due process hearing. The Board received notice of the request for due process on or about July 31, 2006 and a resolution meeting was scheduled by the parties. On July 31, 2006 an impartial hearing officer was appointed. A pre-hearing conference was held on August 22, 2006 and a hearing date of September 19, 2006 was chosen by the parties. The Parents advised the hearing officer that the matter had been settled and withdrew the matter without 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 WITHOUT PREJUDICE.