

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.  
Kebanoff & Alfano, P.C.  
433 South Main Street, Suite 102  
West Hartford, CT 06110

Appearing on Behalf of the Board: Marsha B. Moses, 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 offered by the Board for the 2006-2007 school years appropriate?  
If not;
2. Is the program offered at Hyde School in Woodstock, CT an appropriate program in the least restrictive environment (LRE) as defined in 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a? If yes,
3. Is the Board responsible to reimburse the Parents for the unilateral placement of the Student at the Hyde School for the 2006 Summer Program and the 2006-2007 school year?

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 15 years and 5 month young man who has been identified as Other Health Impaired (OHI) and ADD/ADHD and is 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 PPT meeting held on May 31, 2006, the Parents rejected the program offered by the Board for the 2006-2007 school year and requested placement of the Student at the Hyde School in Woodstock, CT and a 2006 Summer Program at the Hyde School. The Board refused the Parents' request and the Parents requested a Due Process Hearing. The Board received notice of the due process request on October 25, 2006.

On October 27, 2006, a Hearing Officer was appointed. A pre-hearing conference was held on November 2, 2006, and an agreed upon hearing date of December 11, 2006, was scheduled. The parties attended a Resolution Meeting on December 1, 2006. By electronic mail dated December 4, 2006, the Parents informed the Hearing Officer that the matter had been settled and a continuance of the hearing date was requested in order to give the parties time write and execute the agreement. On January 17, 2007, the parties, by electronic mail, informed the Hearing Officer that the agreement had been executed and the matter was withdrawn with prejudice.

At the request of the parties, in order to accommodate the filing of a Final Decision and Order, the date for the filing of the Final Decision and Order was extended for 30 days. The date for the Final Decision and Order was extended by agreement of the parties to February 8, 2007.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**