

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on Behalf of the Parent: Jay Sicklick, Esq  
Center for Child Advocacy  
65 Elizabeth Street  
Hartford, CT 06105

Appearing on Behalf of the Board: Ann F. Bird, Esq.  
Corporation Counsel, City of Hartford  
550 Main Street, Rm. 210  
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the program offered by the Board for the 2005-2006 school year appropriate as defined in The Individuals With Disabilities Education Act ("IDEA") 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a?
2. Is the program offered by the Board for the 2006-2007 school year appropriate as defined in The Individuals With Disabilities Education Act ("IDEA") 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a?
3. Does the Student require an out of district placement in order to receive a free and appropriate public education ("FAPE")?
4. Did the Board commit a procedural violation in conducting a PPT meeting without giving notice to the Parent?
5. Is the Student entitled to compensatory education for the 2005-2006 school year?

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 14 years and 5 months young man who has been identified as emotionally disturbed and is entitled to receive a free and appropriate public education (FAPE) as defined in IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parent objected to the Student's 2006-2007 IEP and requested an out of district placement. The Board refused the Parent's request and the Parent requested a Due Process Hearing on April 4, 2007 and gave notice to the Board of the request on or about April 4, 2007.

On April 9, 2007, a hearing officer was appointed, a pre-hearing conference was held on April 13, 2007 and agreed upon hearing dates of May 14 & 15, 2007 were scheduled.

The parties had a resolution conference on May 2, 2007 at which time the parties came to an agreement and requested additional time in order to have the parties sign the settlement agreement. On or about May 11, 2007, the Parent's attorney sent a letter to the hearing officer requesting a withdrawal of the matter without prejudice.

The date for issuing the Decision and Order is June 19, 2007.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITHOUT PREJUDICE.**