

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Suffield Board of Education

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

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

Appearing Before: Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Did the Program offered by the Board for the 2007-2008 school year, provide the Student with a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) according to 20 U.S.C. §§ 1401 et seq? If not;
2. Does the program at Ben Bronz Academy offer the Student FAPE in the LRE for the 2007-2008 school year?
3. Should the Board be required to pay for the placement of the Student at Ben Bronz Academy for the 2007-2008 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

This matter was heard as a contested case pursuant to Connecticut General Statutes (CGS) §10-76h and related regulations, 20 United States Code§1415(f) and related regulations, and in accordance with the Uniform Administration Procedures Act, CGS §§4-176e to 4-178, inclusive, and 4-181a and 4-186.

The Student is a 17 year old who has been identified as a student who 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 June 20, 2007 PPT, the Parents rejected the program offered by the Board for the 2007-2008 school year and requested that the Board pay for the Student’s placement at Ben Bronz Academy for the 2007-2008 school year. 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 August 27, 2007.

On September 7, 2007 an impartial Hearing Officer was appointed. A pre-hearing conference was held on September 11, 2007 and a hearing date of November 2, 2007 was chosen by the parties. The parties attended a mediation session on or about October 4, 2007.

In an electronic transmission, the Parents' attorney advised the Hearing Officer that the parties were going to a PPT in order to attempt to resolve the matter. The parties requested that the matter be withdrawn.

The decision and order date were extended in order to allow the parties to resolve the matter.

The date for the Final Decision and Order is January 11, 2008.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.