

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents: Philip J. Cohn, Esq.
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Wilton, CT 06897

Appearing on Behalf of the Board: Andreana R. Bellach, Esq.
Shipman & Goodwin, LLP
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Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2005-2006 school year, appropriate and did it provide the Student with a Free and Appropriate Public Education (FAPE) according to 20 U.S.C. §§ 1401 et seq?
2. Was the Program offered by the Board for the 2006-2007 school year, appropriate and did it provide the Student with a Free and Appropriate Public Education (FAPE) according to 20 U.S.C. §§ 1401 et seq?
3. Should the Board provide the Student with compensatory education for the 2005-2006 school year?
4. Should the Board provide the Student with compensatory education for the 2006-2007 school year?
5. Should the Board reimburse the Parents for the program for the summer of 2007?
6. Should the Board reimburse the Parents for the costs of a diagnostic evaluation, therapy and counseling for the Student?

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 9 years and 2 months young man who has been identified as multi-disabled and is a student 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. The Parents disputed the appropriateness of the programs offered the Student during the 2005-2006 and 2006-2007 school years. The Parents sought compensatory education. The Board rejected the Parents' request.

On or about October 15, 2007, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on October 5, 2007 and a pre-hearing conference was held on October 22, 2007. The Board filed a Motion contesting the sufficiency of the request for due process and informed the Parents' attorney of their intent to file a Motion to Dismiss. The parties at the pre-hearing conference requested a schedule for the filing of briefs. A schedule was set for the parties.

The parties informed the hearing officer that the matter was being withdrawn.

The date of the mailing of the final decision and order is February 1, 2008

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.