

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. North Haven Board of Education

Appearing on Behalf of the Parent: Pro Se

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Is the Program offered by the Board for the 2007-2008 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? If not;
2. Should the Board reimburse the Parent for the DIR/Floor-time therapy sessions provided to the Student from August 2, 2007?
3. Should the Board be required to pay for the independent evaluation of the Student?
4. Did the Board violate the Parent's procedural safeguards?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 3 year and 8 months old child who has been identified as developmentally delayed 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 May 29, 2007 PPT, the Parent rejected the program offered by the Board for the 2007-2008 school year and requested that the Board pay for the Student's therapy sessions. The Board denied the Parent's request and the Parent requested a due process hearing. The Board received notice of the request for due process on or about December 10, 2007 and a resolution meeting was held by the parties.

On December 11, 2007 an impartial hearing officer was appointed. A pre-hearing conference was held on January 4, 2008 and hearing dates of January 10, 23 & 30, 2008 were chosen by the parties. At the request of the parties, the January 10, 2008 hearing date was cancelled. The parties provided the hearing officer with a signed agreement and withdrew the matter with prejudice.

The parties requested an extension of the decision and order date in order to conduct mediation and publish the agreement.

The date for the mailing of the Final Decision and Order is March 27, 2008.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.