

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on Behalf of the Parents: David C. Shaw, Esq.  
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Bloomfield CT 06002

Appearing on Behalf of the Board: Andreana Bellach, Esq.  
Shipman & Goodwin, LLP  
300 Atlantic Street  
Greenwich, CT 06901

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) in the Least Restrictive Environment (LRE) according to 20 U.S.C. §§ 1401 et seq?
2. Is the Student entitled to an Extended School Year (ESY) Program for the 2007-2008 school year with the Center for Growth and Development with at least 30 hours of special instruction with an ABA therapist?
3. Should the Parents be reimbursed for instruction they paid from August 2007 to the present?
4. Should the Parents be reimbursed for an independent evaluation of the Student by the McCarton Center?
5. Should the Board pay for an independent evaluation of the Student in the area of communications?
6. Should the Board provide the Student with a qualified inclusion specialist to recommend changes in the Student's IEP, train staff, monitor the IEP and advise in assistive technology?
7. Should the Board provide the Student with a communications program acceptable to the Parents?

**FINAL DECISION AND ORDER****SUMMARY and PROCEDURAL HISTORY:**

This matter was presented as a contested matter 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 3 years and 9 month young child who has been identified as Autistic 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, the Parents rejected the program offered by the Board for the 2007-2008 school year. The Parents requested a program at the Center for Growth and Development with at least 30 hours of special instruction with an ABA therapist. The Board refused the Parents’ request.

On or about January 25, 2008, the Board received notice of the Parents’ request for due process. Mediation was held on February 21, 2008.

An impartial Hearing Officer was appointed on January 24, 2008 and a pre-hearing conference was held on February 4, 2008. A hearing date of March 19, 2008 was chosen by the parties.

In a letter from the Parents’ attorney, dated March 12, 2008, the Hearing Officer was informed that the matter had been resolved and the due process hearing request was withdrawn with prejudice.

The date for the Final Decision and Order is April 9, 2008.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**