

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Cheshire Board of Education

Appearing on behalf of the Parents: Atty. Nora A. Belanger, Law Office of Nora A. Belanger, L.L.C., 10 Wall Street, Norwalk, CT 06850

Appearing on behalf of the Cheshire Board of Education: Atty. Marsha Belman Moses, Berchem, Moses & Devlin, P.C., 75 Broad Street, Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide a free appropriate public education (FAPE) to the Student for the 2006-2007 school year and 2007 extended school year (ESY)?
2. Did the Board provide a FAPE to the Student for the 2007-2008 school year or propose a FAPE for the 2008 ESY?
3. Did the Board propose a FAPE to the Student for the 2008-2009 school year?
4. If not, should the Board be required to reimburse the Parents for the costs of private tutoring and related services?
5. Should the Board be required to reimburse the Parents for the costs of independent evaluations?
6. Should the Board be required to provide the Student with intensive tutoring including speech services for the 2008 ESY?
7. Should the Board be required to provide outplacement at Ben Bronz Academy for the 2008-2009 school year including assistive technology, speech services, OT, PT and transportation?
8. Are the Parents entitled to compensatory education for the Student in the form of two additional years at Ben Bronz Academy for denial of intensive reading instruction and lack of progress for more than two years?

PROCEDURAL HISTORY:

The Parents' attorney mailed and faxed a letter to the State Department of Education ("SDE") on July 18, 2008, requesting a due process hearing. The Board received a copy of the letter on that date. This Hearing Officer was assigned to the case on July 23, 2008. A prehearing conference was held on August 7, 2008. The parties requested hearing dates in late September so that they could schedule mediation on September 2. Hearing dates were agreed on for September 22 and 24, 2008. The mailing date for the final decision was set at October 1, 2008.

On September 4, 2008, the SDE advised the Hearing Officer that the parties had reached an agreement at the September 2, 2008 mediation and that the Parents' attorney would withdraw the hearing request. On September 7, 2008, the Parents' attorney filed a withdrawal of the due process request with prejudice.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed with prejudice.