

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

Appearing on Behalf of the Parent: *Pro se*

Appearing on Behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin
75 Broad Street
Milford, CT 06460

Appearing Before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. What is the placement that would provide the Student with a free appropriate public education through March 1, 2009.
2. Whether the Student shall be placed at the alternative placement as requested by the Parent.

SUMMARY:

The Board received this request for hearing submitted by the Parent on November 14, 2008, and a prehearing conference was convened on December 1, 2008.

At the prehearing conference, the Parent requested that the Student remain at Foundation School while this hearing was proceeding. Subsequent to the prehearing conference, the Board submitted exhibits, including the Student's Individualized Education Program for the 2008-09 school year which provided for placement at Foundation School for the 2008-09 school year. On December 8, 2008, the Parent's request for stay put at Foundation School was granted. That stay put order was issued as required by 20 U.S.C. Sec. 1415(j) which provides that "during the pendency of any proceedings conducted pursuant to this section . . . the child shall remain in the then-current educational placement of the child."

On February 10, 2009, the hearing convened, and the parties reported that the case had settled.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, with prejudice.