

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents: Attorney Andrew A. Feinstein  
Attorney at Law, LLC  
86 Denison Avenue  
Mystic, CT 06355

Appearing on Behalf of the Board: Attorney Andeana R. Bellach  
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 2006-2007 school year appropriate and does 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 Program offered by the Board for the 2007-2008 school year appropriate and does 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?
3. Is the Program offered by the Board for the 2008-2009 school year appropriate and does 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? if not;
4. Does the program at Villa Maria Educational Center provide the Student with FAPE in the LRE?
5. Should the Board reimburse the Parent for the unilateral placement of the Student at Villa Maria Educational Center for the 2006-2007, 2007-2008 and the 2008-2009 school years?
6. Should the Board reimburse the Parent for related services including psychological, psychiatric, speech and language services and the Prospects Program during the 2006-2007, 2007-2008 and 2008-2009 school years?

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

The Student is a 8 years and 6 month young boy who has been identified as Other Health Impaired based on his anxiety and depression disorders, and is entitled to receive a free appropriate public education (“FAPE”) as defined in the 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 2008-2009 school year. The Parents requested placement at Villa Maria Educational Center and reimbursement for the unilateral placement. The Board refused the Parents request. On or about November 18, 2008, the Board received notice of the Parents request for due process. The resolution meeting was waived by the parties as they agreed to do to mediation in its place. Mediation was held on December 30, 2008.

An impartial hearing officer was appointed on November 21, 2008 and a pre-hearing conference was held on December 4, 2008. A hearing date of January 27, 2009 was chosen by the parties.

In a letter dated January 6, 2009, the Parents attorney informed the hearing officer that the matter was resolved and the hearing was withdrawn with prejudice.

The date for the mailing of the Final Order and Decision is February 2, 2009.

**FINAL ORDER AND DECISION:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**