

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Naugatuck Board of Education

Appearing on Behalf of the Parents: Attorney Nora Belanger
Law Office of Nora A. Belanger, LLC
10 Wall Street
Norwalk, CT 06850

Appearing on Behalf of the Board: Attorney Michael P. McKeon
Sullivan, Schoen, Campana & Connon, LLC
646 Prospect Avenue
Hartford, Connecticut 06105-4286

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Should the out-of-district placement recommended by the Board at the November 6, 2008 Planning and Placement Team meeting be implemented without the Parent's consent?
2. Was the psychiatric and educational evaluations of the Student obtained by the Board appropriate?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 12 years and 4 month young man who has been previously identified as Other Health Impaired 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 objected to the out of district placement recommended by the PPT. The Parents requested another placement. The Board denied the Parents' request and the Parents filed for due process.

On or about December 19, 2008 the Board received notice of the Parents' request for due process. Mediation was held on by the parties in place of a resolution meeting. An impartial hearing officer was appointed on December 19, 2008 and a pre-hearing conference was held on January 9, 2009. A hearing date was chosen by the parties.

In a letter dated signed by both the Parents' attorney and the Board's attorney, the parties informed the hearing officer that the matter was settled.

The date for the filing of the Final Decision and Order was extended. The date for the mailing of the Final Decision and Order is May 22, 2009.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.