

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Fairfield 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 Rebecca Rudnick-Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered the Student by the Board for the 2006-2007 school year appropriate?
2. Was the Program offered by the Board for the 2007-2008 school year appropriate?
3. Was the Program offered by the Board for the 2008-2009 school year appropriate? If not;
4. Should the Student be placed at the Kildonan School for the balance of the 2008-2009 school year?
5. Should the Board reimburse the Parents for tutoring and services provided during the 2006-2007 and 2007-2008 school as an extended school year Program?
6. Should the Board reimburse the Parents for extended school year services provided during the summer of 2007 and the summer of 2008?
7. Should the Board provide the Student with transportation and related services including speech and language for the 2008-2009 school year?
8. Should the Board reimburse the Parents for the independent evaluations performed by Doctors Robert Kruger and Armin Theis?
9. Is the Student entitled to compensatory education for the 2006-2007 school year?
10. Is the Student entitled to compensatory education for the 2007-2008 school year?

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

The Student is a 10 years and 5 month young man who is identified as Specific Learning Disability and 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 the Parents disagreed with the Board’s program for the Student. The Parents requested placement at the Kildonan School. The Board denied the Parents’ request and the Parents filed for due process.

On or about January 12, 2009 the Board received notice of the Parents’ request for due process.

An impartial hearing officer was appointed on January 12, 2009 and a pre-hearing conference was held on January 19, 2009. The parties opted for mediation rather than a resolution meeting.

In a letter from the Parents’ attorney the hearing officer was informed that the Parents were requesting a dismissal of the matter with prejudice as the parties have resolved the issues.

The mailing of the final decision and order was extended to accommodate the mediation and the hearing.

The date for the mailing of the Final Decision and Order is May 26, 2009.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.