

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on Behalf of the Parent: Attorney Lynn B. Cochrane  
Greater Hartford, Legal Aid, Inc.  
999 Asylum Avenue, 3<sup>rd</sup> Floor  
Hartford, CT 06105

Appearing on Behalf of the Board: Attorney Melinda Kaufmann  
City of Hartford, Corporation Counsel  
550 Main Street  
Hartford, CT 06103

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the Program offered by the Board for the 2005-2006 school year appropriate and did 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. Was the Program offered by the Board for the 2006-2007 school year appropriate and did it provide the student with FAPE in the LRE according to 20 U.S.C. §§ 1401 et seq?
3. Was the Program offered by the Board for the 2007-2008 school year appropriate and did it provide the student with FAPE in the LRE according to 20 U.S.C. §§ 1401 et seq?
4. Should the Student have been provided with Extended School Year (ESY) for the summer of 2005, 2006, 2007, 2008 and 2009?
5. Is the Student entitled to compensatory education for the denial of FAPE for the 2005-2006, 2006-2007, 2007-2008 school years and for the ESY for the summers of 2005, 2006, 2007, 2008 and 2009?
6. Is the Student entitled to an independent educational evaluation at the Board's expense?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is 14 years old and has been identified with an Intellectual Disability and is entitled to receive a FAPE as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At the September 9, 2008 PPT meeting, the Parent rejected the program offered by the Board for the 2008-2009 school year. The Parent requested 720 hours of compensatory education. The Board refused the Parent's request.

On or about November 20, 2009, the Board received notice of the Parent's request for due process. An impartial hearing officer was appointed on October 29, 2009 and a pre-hearing conference was held on November 6, 2009. Hearing dates of January 13, 14 & 15, 2010 were chosen by the parties. A

resolution meeting was held on or about January 7, 2010. In a letter dated January 7, 2010, the Parent's attorney requested that the hearing dates be cancelled as the parties had reached an agreement. On or about March 1, 2010, the parties informed the hearing officer that the agreement was ratified and the hearing was withdrawn with prejudice.

At the request of the parties, in order to accommodate the filing of a final decision and order after the hearing dates, the date for the filing of the Final Decision and Order was extended. The mailing date for the final decision and Order is March 10, 2010.

**FINAL ORDER AND DECISION:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**