

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Wolcott Board of Education v. Student

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Craig S. Meuser, Esq.
Chinni & Meuser, LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

BOARD ISSUE:

1. Should the Board be required to pay for an independent evaluation of the Student?

PARENT ISSUES:

2. Is the Student a student eligible for special education and related services as a student defined in the Individuals with Disabilities Education Act (“IDEA”) U.S.C. §§1401 et seq?
3. Is the Program offered by the Board for the 2006-2007 school year, appropriate and 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?
4. Is the Program offered by the Board for the 2007-2008 school year, appropriate and provide the Student with a FAPE in the LRE according to 20 U.S.C. §§ 1401 et seq?
5. Should the Board provide the Student with an extended school year (“ESY”) program for the summer of 2007?
6. Is the Student entitled to compensatory education for the 2006-2007 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 14 years and 3 month young man who had been identified with a 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 the June 1, 2007 PPT meeting, the Parents rejected the Board's evaluation of the Student and the PPT finding that the Student was no longer eligible for special education and related services. The Parents' requested an independent evaluation of the Student at the Board's expense. The Board refused the Parents' request and filed for Due Process. The Parents in a letter dated June 4, 2007 expanded the due process hearing to include their issues and requested due process.

On or about June 8, 2007, the Board received notice of the Parents' request for due process.

An impartial hearing officer was appointed on June 6, 2007 and a pre-hearing conference was held on June 20, 2007. Hearing dates of August 6 & 7, 2007 were chosen by the parties.

On or about July 17, 2007, the parties mediated the matter and reached a resolution of their current disputes. On July 23, 2007, the Parents informed the hearing officer that the matter was settled 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 date for the mailing of the Final Decision and Order is September 7, 2007.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.