

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents: Andrew A. Feinstein  
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Bloomfield CT 06002

Appearing on Behalf of the Board: Andreana Bellach, Esq.  
Shipman & Goodwin, LLP  
300 Atlantic Street  
Stamford, CT 06901-3522

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the Program offered by the Board for the 2006-2007 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. Is the Program offered by the Board for the 2007-2008 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?
3. Was the Extended School Year (ESY) Program for the summer 2007 appropriate and in the LRE?
4. Are the Parents entitled to compensatory education in the form of 160 hours of intensive tutoring?
5. Should the Board provide the Student with a qualified inclusion specialist to recommend changes in the Student's IEP, train staff, monitor the IEP and advise in assistive technology?

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

This matter was presented as a contested matter pursuant to Connecticut General Statutes (CGS) §10-76h and related regulations, 20 United States Code §1415(f) and related regulations, and in accordance with the Uniform Administration Procedures Act, CGS §§4-176e to 4-178, inclusive, and 4-181a and 4-186.

The Student is a 13 years and 3 month young woman who has been identified as multi disabled 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 rejected the program offered by the Board for the 2007-2008 school year. The Parents requested compensatory education and an inclusion specialist. The Board refused the Parents’ request.

On or about September 24, 2007, the Board received notice of the Parents request for due process. Mediation was held on November 1, 2007.

An impartial Hearing Officer was appointed on September 24, 2007 and a pre-hearing conference was held on September 28, 2007. A hearing date of November 5 & 6, 2007 was chosen by the parties.

In a letter, the Parents’ attorney requested that the November 5 & 6, 2007 hearing dates be postponed for 30 days as the parties continued discussions in order to resolve the matter. A hearing date of December 14, 2007 was agreed to by the parties.

In a letter, the Parents’ attorney requested that the December 14, 2007 be postponed due to the unavailability of the parties.

In a letter from the Parents’ attorney, the Hearing Officer was informed that the matter had been resolved and the due process hearing request was withdrawn with prejudice.

At the request of the parties, in order to accommodate the mailing 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 Final Decision and Order is March 28, 2008.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**