

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Milford Board of Education

Appearing on behalf of the Parents: Attorney Marisa A. Mascolo
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Michael McKeon
Sullivan, Schoen, Campana & Connon, LLC
646 Prospect Avenue
Hartford, CT 06105-4286

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program and placement for the Student for the 2007-08 school year?
2. If not, should the Board be required to reimburse the Parents for their placement of the Student at the Stone Mountain School in Black Point, North Carolina from January 2008 through the end of the school year, including the extended school year (“ESY”)?
3. Should the Board be required to reimburse the Parents for their placement of the Student at the Montcalm School in Albion, Michigan for the 2008-09 school year, including the ESY because the Board failed to offer any alternate program?
4. Did the Board offer an appropriate program and placement for the Student for the 2009-10 school year at the October 20, 2009 Planning and Placement Team meeting?
5. If not, was the Parents’ requested placement at the Woodhall School in Bethel, Connecticut appropriate?
6. Should the Board be required to reimburse the Parents for their placement of the Student at the Woodhall School for the 2009-10 school year?

PROCEDURAL HISTORY

The Parents’ attorney faxed a letter on January 29, 2010 to the Board’s Pupil Services Director requesting a due process hearing. A copy was sent to the State Department of Education and the

Board's attorney on that date. This Hearing Officer was assigned to the case on February 4, 2010. A prehearing conference was scheduled for February 17, 2010. On February 12, 2010, the Parents' attorney advised the Hearing Officer that the parties had reached a settlement at mediation, that the Parents were withdrawing the due process request with prejudice and that the prehearing conference could be cancelled. The mailing date for the final decision is April 14, 2010.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed with prejudice.