

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Windham Board of Education and Integrated Day Charter School

Appearing on behalf of the Parent: Attorney David C. Shaw
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Appearing on behalf of the Board and the Charter School: Attorney Peter J. Murphy
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One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Student's IEP for the 2009-10 school year is inappropriate and violated 20 U.S.C. Sec. 1412(a)(5)(A)
2. Whether the Board and/or Charter School failed to provide an appropriate program in that the Student was offered placement in kindergarten for four hours, while nondisabled students were provided a full day program.
3. Whether the Board and/or Charter School failed to provide appropriate supplemental aids and services and modifications to the general education curriculum necessary to facilitate the student's success in the program.
4. Whether the Board and/or Charter School shall be required to hire an independent educational consultant acceptable to the Parents to help the PPT develop and implement a full day appropriate IEP in regular classes.
5. Whether the Student shall be provided a full day kindergarten program with necessary aids and services.
6. Whether the Board and/or Charter School shall be required to retain an independent consultant to attend all planning meetings, make observations of the Student as needed, review all documents and data related to the program as needed, consult with the Parents and school personnel as needed, train the school staff as needed and make written recommendations to the PPT at least quarterly.
7. Whether the Board and/or Charter School shall implement the recommendations of the consultant.
8. Whether the Board and/or Charter School shall provide an appropriate program of compensatory education.
9. Whether the Board and/or Charter School shall implement a research based multisensory structure language approach to literacy appropriate for children with cognitive disabilities.

10. Whether the Board and/or Charter School shall provide the Student with an appropriate program of speech and language services at least five half hours per week through a private agency that is acceptable to the Parents and has expertise in apraxia.
11. Whether the Board and/or Charter School shall stop charging the Parents for materials the Student destroys in school and stop requiring Parents to accompany the Student on school field trips and events.

SUMMARY:

The request for hearing was received on February 16, 2010 and a prehearing conference was convened on March 8, 2010. Extensions of the mailing date were granted so that the parties had an opportunity to attempt to settle the case and due to counsel's federal court scheduling conflict. On June 2, 2010, the Parents' attorney submitted notification that the case had settled.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, with prejudice.