

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Region 15 Board of Education Student

Appearing on Behalf of the Parents:

Attorney Howard Klebanoff  
Klebanoff & Alfano, P.C.  
433 South Main Street, Suite 102  
West Hartford, CT 06110

Appearing on Behalf of the Board:

Attorney Susan Freedman  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing Before:

Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the program offered by the Board for the 2011-2012 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
2. Does the program at Foundation School provide the Student with FAPE in the LRE?
3. Should the Board be responsible for the cost of the Student's placement at Foundation School?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student has been identified with Autism and is entitled to receive a free and appropriate public education (FAPE) as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents requested placement of the Student at Foundation School. The Board refused the Parents' request.

On August 9, 2011 a hearing officer was appointed, and a pre-hearing conference was held on August 25, 2011. A hearing date of October 17, 2011 was chosen by the parties. The parties decided to mediate the matter rather than attend a resolution meeting. On or about October 12, 2011, the Parents' attorney requested that the matter be withdrawn since the parties had resolved the matter in mediation and were in the process of preparing an agreement.

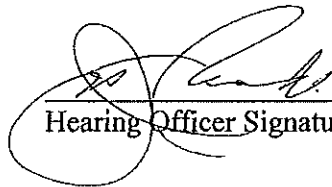
The Board requested a withdrawal without prejudice. The request was granted. The date for the mailing of the Final Decision and Order was extended to accommodate the mediation and the hearing dates. The date for the mailing of the Final Decision and Order is October 23, 2011.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITHOUT PREJUDICE.**

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).

  
Hearing Officer Signature

Justin R. RASADO  
Hearing Officer      Name in Print