

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Fairfield Board of Education

Appearing on behalf of the Parent: Pro Se

Appearing on behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the program offered by the Board for the 2016-2017 school year appropriate and does it provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Does the Student require residential placement at Wellspring/Archbridge for the 2016-2017 school year in order to receive FAPE in the LRE?

SUMMARY AND PROCEDURAL HISTORY:

The Student is identified with Emotional Disturbance and is entitled to receive 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 et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2016-2017 school year and the Parents requested a residential placement at Wellspring/Archbridge. The Board rejected the Parents' request. The Parents filed for due process hearing. An impartial hearing officer was appointed on May 13, 2016 and a pre-hearing conference was held on May 24, 2016. Notice was received by the Board on May 13, 2016.

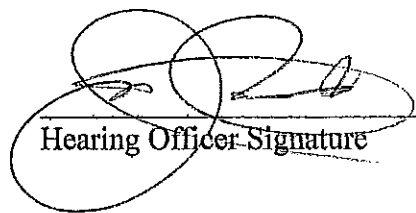
In an electronic transmission, the Parents informed the hearing officer that they were withdrawing the matter without prejudice. There was no objection by the Board. The date for the mailing the Final Decision and Order is July 25, 2016.

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

Justino Rosado
Hearing Officer Name in Print