

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Suffield Board of Education

Appearing on behalf of the Student: Attorney Andrew Feinstein
Attorney Jillian Griswold
Feinstein Education Law Group
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06770

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

1. Did the District fail to provide Student with a Free Appropriate Public Education (“FAPE”) for the 2014-2015 school year beginning on September 7, 2014 through the end of the school year?
2. Did the District fail to provide Student with a FAPE for the 2015-2016 school year?
3. Was the Student’s Individualized Education Program (“IEP”) proposed by the District for the 2016-2017 school year appropriate?
4. If the IEP proposed for the 2016-2017 school year was not appropriate, does the Speech Academy, where Student was unilaterally placed by Parents, provide Student with an appropriate program?
5. Are Parents entitled to reimbursement for the costs of the Student attending the Speech Academy for the 2016-2017 school year, including tuition, related services and transportation?
6. Are the Parents entitled to reimbursement for private speech and language services and behavior therapy provided to the Student during the two year statutory period?
7. Are the Parents entitled to reimbursement for the evaluation conducted by Dr. Christina Ciocca?
8. Should the District provide Student with two years of compensatory education?

PROCEDURAL HISTORY AND SUMMARY:

On September 7, 2016, the Board received a request for a special education due process hearing that was filed by Attorney for the Student. On September 8, 2016, the Connecticut State Department of Education appointed this Hearing Officer to preside over the case. During the prehearing conference held on September 19, 10, 2016, hearing dates of October 31, 2016 and November 7, 2016 were scheduled and the deadline for mailing the final decision and order was established as November 21, 2016. On October 14, 2016, Attorney for the Parents requested a postponement of the October 31, 2016 hearing date based on a representation that a settlement had been reached and the parties needed to reduce the agreement to a writing. This request was granted on October 18, 2016, with notice that the November 7, 2016 hearing date would go forward as scheduled. On November 1, 2016, Attorney for the Parents withdrew their hearing request with prejudice. The hearing was opened on November 7, 2016 and the matter was dismissed on the record. Attorney John Khalil appeared on behalf of the District and no attorney appeared on behalf of the Parents.

November 7, 2016

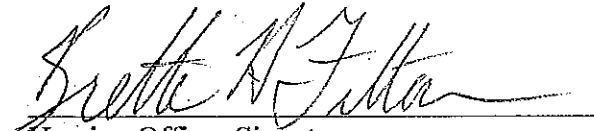
Final Decision and Order 17-0126

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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

Brette H. Fitton
Hearing Officer Name in Print