

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. CTHSS Board of Education

Appearing on behalf of the Parent: Melanie Dunn, Esq.
Feinstein Education Law Group, LLC
945 Main Street, Suite 304
Manchester, CT 06040

Appearing on behalf of the Board: Christine Chinni, Esq.
Chinni & Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board for the 2016-2017 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If so;
2. Should the Board be responsible for the cost of the unilateral placement of the Student at Chapel Haven ASAT for the 2016-2017 school year?
3. Should the Board be responsible for the cost of an independent educational evaluation?

SUMMARY AND PROCEDURAL HISTORY:

The Student is entitled to receive a free and appropriate public education in the least restrictive environment 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 Parent objected to the program for the 2016-2107 school year and unilaterally placed the Student at Chapel Haven ASAT. The Parent requested reimbursement for the unilateral placement. The Board refused the Parent's request.

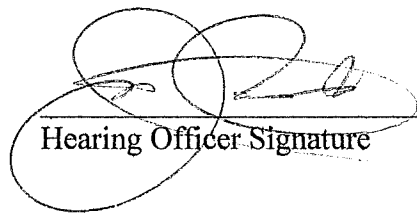
The Board received notice of the request for due process on December 10, 2016. An impartial hearing officer was appointed on December 12, 2016, and a pre-hearing conference was held on December 23, 2106. The parties attended mediation on January 17, 2017. The Parents' attorney advised the hearing officer that the matter was resolved and withdrawn with prejudice. The mailing date for the Final Decision and Order is February 23, 2017.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH 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