

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Windham Board of Education

Appearing on behalf of the Parent:

Attorney Courtney P. Spencer
The Law Office of Courtney Spencer
100 Riverview Center
Suite 120
Middletown, CT 06457

Appearing on behalf of the Board:

Attorney Linda L. Yoder
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before:

Melinda A. Powell, Esq.

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board offered an appropriate program for the 2016-17, 2017-18, 2018-19 school years including the 2017 and 2018 extended school years?
2. Whether the Board should be ordered to implement the following?
 - a. Removal from the High Roads Program he is currently placed in and provide an individualized program with access to mainstream classes and intensive remedial support in reading, writing, social skills, coping mechanism, behavioral support, executive functioning with staff trained to work with students such as Student;
 - b. One to one direct instruction for reading, writing, social skills, counseling, executive functioning, organization;
 - c. Independent BCBA from the Center for Children with Special Needs to design, implement and oversee a program for student for thirty hours a week for the 18-19 school year, including conducting a FBA, BLP and any other evaluations they deem necessary, training of all staff working with student, designing and implementing a social skills program and designing a safety plan;
 - d. An independent reading evaluation with Beth Stone and 15 hours of consult for the 18-19 school year;

- e. An independent educational evaluation through Center with Children for Special Needs and 80 hours of consult with evaluator for 18-19 school year;
- f. Behavioral optometry consultation and observation;
- g. Independent occupational therapy evaluation with Kristen Powers and 15 hours of consult for the 18-19 school year;
- h. An Orton Gillingham associate, to provide at least 2 hours a day of direct reading support for the 18-19 school year;
- i. An independent social worker to provide all counseling services for the 18-19 school year;
- j. Independent Assistive Technology evaluation with NEAT and 15 hours of consultation for the 18-9 school year;
- k. Provide student with a one on one laptop, text to speech/voice to text and book share;
- l. Daily keyboarding instruction;
- m. One to one paraprofessional who is a trained behavior therapist;
- n. For the extended school year, four weeks of Holiday Hills Camp with one to one paraprofessional and camp consultant;
- o. For the extended school year, Orton Gillingham reading instruction with an associate level tutor for two hours a session two times a week for four weeks;
- p. Compensatory hours for the disparity in school day hours.

3. Whether compensatory education should be awarded as a remedy?

PROCEDURAL HISTORY/SUMMARY:

The Parent, through counsel, filed the Due Process Complaint and Request for Hearing on November 16, 2018. The Hearing Officer was appointed on November 30, 2018. A Prehearing Conference was noticed for December 13, 2018 and rescheduled to December 20, 2018. Prior to the conference, counsel for the Parents advised the Hearing Officer via email that they would be withdrawing the Due Process Complaint. On December 31, 2018, counsel for the Parents sent a letter to the Hearing Officer withdrawing the Due Process Complaint without prejudice.

FINAL DECISION AND ORDER:

In light of the above, the matter is **DISMISSED**.