

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stratford Board of Education

Appearing on behalf of the Parents:

Attorney Jennifer D. Laviano
Law Offices of Jennifer D. Laviano, LLC
77 Danbury Road Suite-C6
Ridgefield, CT 06877

Appearing on behalf of the Board:

Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the Board for the 2012-2013 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the program provided by the Board for the 2013-2014 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Was the unilateral placement of the Student at Easton Academy of Innovative Learning (EAIL) for the 2013-2014 school year appropriate and did it provide a meaningful education?
4. Was the program provided by the Board for the 2014-2015 school year appropriate and does it provide the Student with FAPE in the LRE?
5. Was the unilateral placement of the Student at EAIL for the 2014-2015 school year appropriate and does it provide a meaningful education?
6. Should the Board reimburse the Parents for their unilateral placement of the Student at EAIL for the 2013-2014 school year?
7. Should the Board reimburse the Parents for their unilateral placement of the Student at EAIL for the 2014-2015 school year?
8. Should the Parents be reimbursed for the cost of the social skills group program at the Social Learning Center in Wallingford?
9. Should the Board reimburse the Parents for the cost of the individual therapy with Dr. Marcia Eckerd?
10. Did the Board commit procedural violations by not convening a PPT at the start of the 2013-2014 as requested by the Parents?

11. Did the Board commit procedural violations by not providing the Student with an AT evaluation and not providing a continuum of placements for the Student?
12. Is the Student entitled to Compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism 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 provided by the Board for the 2014-2015 school year. The Parents requested placement of the Student at Easton Academy of Innovative Learning (EAIL). The Board refused the Parents' request.

On August 27, 2014, the Board received notice of the Parents' request for due process. The parties agreed to forgo a resolution meeting and mediate the matter. The mediation date was October 28, 2014.

An impartial hearing officer was appointed on September 3, 2014 and a pre-hearing conference was held on September 11, 2014. A hearing date of November 13, 2014 was chosen by the parties.

In an electronic transmission, the parties requested that the hearing officer cancel the November 13, 2014 hearing date in order to allow the parties to finalize an agreement. The request to cancel the hearing date was granted. January 15, 2015 was the new hearing date for this matter.

In an electronic transmission, dated January 13, 2015, the Parents' attorney informed the hearing officer that the matter had been resolved and withdrew the matter with prejudice.

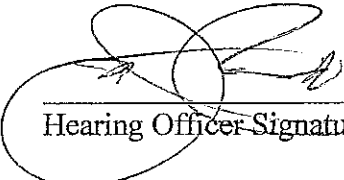
The date for the mailing of the Final Decision and Order was extended to accommodate the mediation and the hearing date. The date for mailing the Final Decision and Order is January 16, 2015.

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