

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Waterbury Board of Education

Appearing on behalf of the Parent:

Pro Se

Appearing on behalf of the Board:

Marsha B. Moses, Esq.  
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 2013-2014 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 2014-2015 school year appropriate and did it provide the Student with a FAPE in the LRE?
3. Is the Student entitled to compensatory education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Emotional Disturbance and is entitled to receive a free and appropriate public education as defined in the 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 rejected the program offered by the Board for the 2014-2015 school year. The Parent requested compensatory education. The Board denied the Parent's request. The Parent filed for due process.

The Board received notice of the request for due process on May 27, 2015. The parties agreed to attend a resolution session. The scheduled date for the resolution session was June 10, 2015. The resolution session was successful. An impartial hearing officer was appointed on May 27, 2015 and a pre-hearing conference was held on June 5, 2015. A hearing date of August 24, 2015 was chosen by the parties.

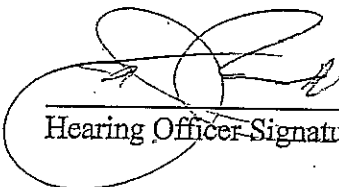
In an electronic transmission dated June 11, 2015, the Parent advised the hearing officer that the resolution session was successful, but they needed additional time to memorialize the agreement. In an electronic transmission dated July 15, 2015, the Parent advised the hearing officer that the agreement had been ratified and he was withdrawing the matter with prejudice. The date for mailing the Final Decision and Order is August 10, 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