

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Easton Board of Education

Appearing on behalf of the Parent:

Attorney Lawrence Berliner  
Law Office of Lawrence Berliner, LLC  
1720 Post Road East, 214E  
Westport, CT 06880

Appearing on behalf of the Board:

Attorney Michelle Laubin  
Berchem & Moses  
75 Broad Street  
Milford, CT 06460

Appearing before:

Jane Ford Shaw, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board violate its Child Find obligations under the IDEA by failing to promptly refer the Student to a PPT meeting prior to January 26, 2020?
2. Did the Board fail to offer the Student a Free and Appropriate Public Education – either substantively or procedurally, for the 2019-2020, 2020-2021 school year, including ESY?
3. If so, is placement at the Easton Country Day School appropriate?
4. If placement at the Easton Country Day School is appropriate, should the Board reimburse the parents for the cost of tuition, transportation and related costs?
5. Should the Board be required to reimburse the parents for the cost of therapeutic and counseling services?
6. Should the Board be required to reimburse the parents for the cost of Dr. Sutera's evaluation due to the Board's failure to timely complete evaluations of the Student's academic, social, and/or emotional needs prior to February 28, 2020?
7. Is compensatory education appropriate?

**PROCEDURAL HISTORY/SUMMARY:**

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

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("IDEA") §20 U. S. C. 1401 et seq. and Connecticut General Statutes §10-76a et seq. The Parents filed the Due Process Hearing Complaint on October 8, 2020. The Hearing Officer was appointed on October 8, 2020. At the pre-hearing conference was held on October 22, 2020. A Upon Motion by the parties, the date for the mailing of the final memorandum of decision was extended from December 22, 2019 to January 21, 2021 and a Hearing was scheduled for December 16, 2020. On January 4, 2021, the Parents withdrew their complaint.

**FINAL DECISION AND ORDER:**

The matter is DISMISSED.