

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Brookfield Board of Education

Appearing on behalf of the Parents: Jennifer D. Laviano, Esq.
Law Offices of Jennifer D. Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board: Attorney Craig Meuser
Chinni & Meuser LLC
One Darling Lane
Avon, CT 06001

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the program provided by the Board for the 2015-2016 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
2. Should the Board place the Student at the Connecticut Center for Child Development (CCCD) for the 2015-2016 school year at public expense?
3. 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 Statutes §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2015-2016 school year. The Parents requested placement at CCCD for the 2015-2016 school year. The Board refused the Parents' request.

On July 28, 2015, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on July 29, 2015 and a pre-hearing conference was held on August 4, 2015. The parties agreed to forego a resolution meeting and mediate the matter. The mediation date was pending.

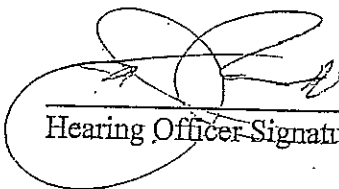
At the October 26, 2015 hearing date, the Parent's attorney withdrew the matter with prejudice. There was no objection by the Board. The mailing date for the Final Decision and Order is November 9, 2015.

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