

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Southington Board of Education

Appearing on behalf of the Parents: Attorney Courtney Spencer
Law Offices of Courtney Spencer, LLC
100 Riverview Road, Suite 120
Middletown, CT 06457

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. Was the program provided by the Board for the 2014-2015 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 2015-2016 school year including extended school year (ESY) appropriate and did it provide the Student with FAPE in the LRE? If not;
3. Did the unilateral placement of the Student at Grove School from April 7, 2016 to the end of the 2015-2016 school year provide a meaningful education?
4. Should the Board be responsible for the cost of the unilateral placement of the Student at Grove School from April 7, 2016 to the end of the 2015-2016 school year?
5. Is the program offered by the Board for the 2016-2017 school year including ESY appropriate and does it provide the Student with FAPE in the LRE? If not;
6. Does the program at Grove School provide the Student with FAPE in the LRE?
7. Should the Board be responsible for the cost of the program at Grove School for the 2016-2017 school year?
8. Is the Student entitled for compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Emotional Disturbance 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 offered by the Board for the 2016-2017 school year and requested reimbursement for the cost of their unilateral placement of the Student at Grove School for the 2016-2017 school year. The Board refused the Parents' request.

On July 29, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on August 4, 2016 and a pre-hearing conference was held on August 10, 2016. A mediation date in lieu of a resolution meeting was agreed to by the parties. A hearing date of

November 18, 2016

Final Decision and Order 17-0064

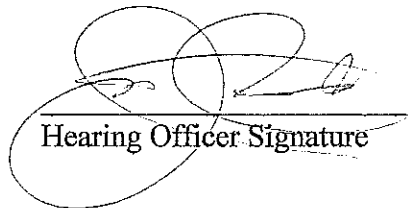
October 19, 2016 was chosen by the parties. In an electronic transmission the parties requested cancelation of the hearing date as the matter was resolved; the Parents' attorney requested that the matter be withdrawn with prejudice. The date for the mailing of the Final Decision and Order was extended to November 21, 2016 to accommodate the hearing date.

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