

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parent:

Jennifer Laviano, Esq.
Law Offices of Jennifer Laviano, LLC
75 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board:

Christine Sullivan, Esq.
Berchem, Moses and Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide FAPE for the two years before the filing of the Due Process Complaint?
2. Did the Board offer FAPE for the 2016-2017 school year?
3. If the answer to either 1 or 2 above is no, is Riverview School an appropriate placement?
4. If the answer to 3 is in the affirmative, should Parents be reimbursed tuition and education related expenses for their unilateral placement of student at Riverview School?
5. If the answer to 1 or 2 above is no, does Student require a residential placement?
6. If so, should the parents be reimbursed for the costs of residential placement?
7. If the answer to 1 or 2 above is no, was placement for ESY at Camp Northwood an appropriate placement?
8. If so, should the parents be reimbursed for the costs of the placement at Camp Northwood?
9. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

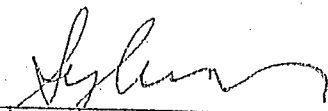
The Parent filed the Due Process Complaint and Request for Hearing on October 6, 2016. The Hearing Officer was appointed on the same day and conducted a Prehearing Conference on October 17, 2016. The mailing date of the Final Decision was extended at the request of the Parents in order to mediate the dispute and the hearing was scheduled for January 12, 2017. The January 12, 2017 hearing was postponed to February 14, 2017 for good cause and the mailing date was extended to February 17, 2017. The hearing commenced on February 14, 2017 with no one present and the matter was dismissed.

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

Sylvia Ho
Hearing Officer Name in Print