

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Bristol Board of Education

Appearing on behalf of the Parent:

Pro Se

Appearing on behalf of the Board:

Attorney Linda Yoder
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, Connecticut 06103-1919

Appearing before:

Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board including extended school day (EDY) for the 2015-2016 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Does the unilateral placement of the Student at Ben Bronz Academy for the 2015-2016 school year including ESY provide the Student with a meaningful education?
3. Should the Parents be reimbursed for the cost of the unilateral placement of the Student at Ben Bronz Academy for the 2015-2016 school year including ESY?
4. Should the Board reimburse the Parents' for the cost of additional tutoring from February 24, 2012 to the end of the 2015-2016 school year?
5. 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 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 2015-2016 school year and requested reimbursement for their unilateral placement of the Student at Ben Bronz Academy. The Board refused the Parents' request.

On February 12, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on February 10, 2016 and a pre-hearing conference was held February 23, 2016. The parties agreed to go to mediation in place of a resolution meeting. In an electronic transmission, the Parents advised the hearing officer that they were waiting for the agreement to be finalized and requested cancelation of the hearing date. The Parents withdrew the request for due process without prejudice. The date for the mailing of the Final Decision and Order was extended to May 24, 2016 to accommodate the parties' hearing dates.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT 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