

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stratford Board of Education

Appearing on behalf of the Parents: Attorney Lawrence Berliner
Law Offices of Lawrence W. Berliner, LLC
1720 Post Road East, Ste. 214E
Westport, CT 06880

Appearing on behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

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. Should the Board have provided the Student with Homebound instructions during the 2014-2015 school year, since he was not attending the Board's school?
3. Did the Board failed to obtain informed consent from the Parents to consult with the Institute of Professional Practice (IPP)?
4. Is the Student entitled to compensatory education for the denial of a free and appropriate public education?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Multiple Disabilities 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 provided by the Board for the 2014-2015 school year. The Parents requested homebound instruction during the 2014-2015 school year. The Board refused the Parents' request.

On March 11, 2015, the Board received notice of the Parents request for due process. The parties agreed to forgo a resolution meeting and mediate the matter. The mediation date was May 6, 2015. An impartial hearing officer was appointed on March 11, 2015 and a pre-hearing conference was held on March 13, 2015. A hearing date of May 15, 2015 was chosen by the parties. In an electronic transmission, the Parents' attorney informed the hearing officer that the parties were working to resolve the matter and requested that the hearing date be cancelled. The request was granted and a July 15, 2015 hearing date was chosen.

July 24, 2015

Final Decision and Order 15-0402

In an electronic transmission, the Parents' attorney informed the hearing officer that the agreement had not been ratified but withdrew the matter without prejudice. The July 15, 2015 hearing date was cancelled.

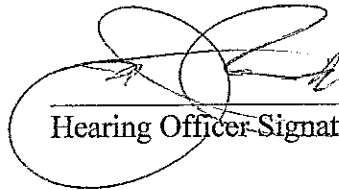
The date for the mailing of the Final Decision and Order was extended to accommodate the mediation and the hearing date. The date for mailing the Final Decision and Order is August 3, 2015.

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