

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 19 Board of Education

Appearing on behalf of the Parent: Attorney Courtney F. Spencer
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Appearing on behalf of the Board: Attorney Michael P. McKeon
Pullman & Comley, LLC
90 State House Square
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Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the protocol of the transition of new services provided appropriate? If not;
2. Does the protocol require the services and oversight by the two private consultants who provide the services?
3. Does the stay-put placement include oral motor therapy with the Student's private therapists, twice per week, including transportation?
4. Did the Board commit procedural violations by not allowing the Parents to be meaningful participants at the planning and placement team (PPT) meeting and failing to provide appropriate services?
5. Should the training protocol for any new oral motor service providers be part of a written protocol for any future oral motor implementation?
6. Should the Board be required to purchase a Smart Palate Computer, software and equipment?

7. Should the oral motor services provided in the individualized education program (IEP) be delivered in one hour increments?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Orthopedic Impairment and is entitled to receive a free and appropriate public education (FAPE) as defined in IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

At a PPT meeting, the Parents requested that the protocol for oral motor therapy require the services and oversight of the two private consultants who provide the services. The Board refused the Parent's request.

On September 20, 2013, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting. The mediation session was held on October 28, 2013.

An impartial hearing officer was appointed on September 26, 2013, a pre-hearing conference was held on October 15, 2013. Hearing dates of November 22 and December 23, 2013 were chosen by the parties. On November 1, 2013, the Parents' attorney amended the due process request to include additional issues.

At the November 22, 2013 hearing date, the Parent's attorney advised the hearing officer that the parties had reached an agreement but needed additional time to finalize the agreement. An additional hearing date of December 23, 2013 was chosen by the parties. On December 20, 2013 the parents' attorney advised the hearing officer that the agreement had been ratified and the matter was withdrawn with prejudice.

The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing dates. The date for mailing the Final Decision and Order is January 22, 2014.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.