

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Naugatuck Board of Education

Appearing on behalf of the Parent: Courtney Spencer, Esq.
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100 Riverview Ave. Ste. 120
Middletown, CT 06457

Appearing on behalf of the Board: Michelle Laubin, Esq.
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 from August 23, 2014 to the end of 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 appropriate and did it provide the Student with a FAPE in the LRE? If not;
3. Was the unilateral placement of the Student at Woodhall School from August 31, 2015 to the end of the 2015-2016 school year provide the Student with a meaningful education?
4. Should the Board be responsible for the cost of the unilateral placement at Woodhall School from August 31, 2015 to the end of the 2015-2016 school year?
5. Is the Program offered by the Board for the 2016-2017 school year, including extended school year, appropriate and would it have provided the Student with FAPE in the LRE? If not;
6. Does the program at Woodhall School provide the Student with a meaningful education?
7. Should the Board be responsible for the cost of the unilateral placement at Woodhall School for the 2016-2017 school year, including extended school year?
8. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in 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 Parent rejected the program offered by the Board for the 2016-2017 school year. The Parent requested placement at Woodhall School for the 2016-2017 school year. The Board denied the Parent's request and the Parent filed for due process.

On August 23, 2016, the Board received notice of the request for due process and an impartial hearing officer was appointed. A pre-hearing conference was held on September 8, 2016. The parties agreed to

waive a resolution session. In a November 4, 2016 electronic transmission, the Parent advised the hearing officer that the matter had been resolved and withdrew the matter with prejudice. The date for the mailing of the Final Decision and Order was extended to December 6, 2016 to accommodate a 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