

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 10 Board of Education

Appearing on behalf of the Parent:

Jennifer Laviano, Esq.
Elisabeth Moyse, Esq.
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board:

Michael McKeon, Esq.
Pullman and Comley, LLC
90 State House Square
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide FAPE to Student for the two years prior to the filing of the Due Process Complaint?
2. Did the Board offer FAPE for the 2016-2017 school year?
3. Is the placement at Meliora Academy appropriate?
4. If so, should the Board be required to continue Student's placement at Meliora Academy?
5. If the answers to 1 or 2 are in the negative, should the Board be required to reimburse Parents for their expenses in retaining an independent Board Certified Behavioral Analyst?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on April 6, 2016. The Hearing Officer was appointed on April 7, 2016 and conducted a Prehearing Conference on April 12, 2016. At the Prehearing Conference, the Hearing Officer granted leave for the Parents to amend the Due Process Complaint and the parties agreed to mediation with a state appointed mediator. An Amended Complaint was filed on May 2, 2016. At the request of the parties, the hearing was scheduled for July 13, 2016 and the mailing date of the Final Decision was extended to July 20, 2016. On July 11, 2016, the Parent's attorney reported to the Hearing Officer that the Parents were withdrawing the Due Process Complaint with prejudice.

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

Sylvia Ho

Hearing Officer

Name in Print