

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents:

Attorney Philip J. Cohn
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board:

Attorney Christine Sullivan
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 offered by the Board including ESY for the 2014-2015 school year appropriate and did it provide the Student with FAPE in the LRE?
2. Was the program offered by the Board, including ESY, for the 2015-2016 school year appropriate and did it provide the FAPE in LRE? If not;
3. Should the Board reimburse the Parents for their unilateral placement of the Student at True North Wilderness Program in Waitsfield, Vermont from December 4, 2015 to March 9, 2016?
4. Should the Board reimburse the Parents for their unilateral placement of the Student at Vista Treatment Center, Sage Campus, Sandy, Utah from March 10, 2016 to the end of the 2015-2016 school year including ESY?
5. Should the Board reimburse the Parents for the cost of an educational consultant?
6. Should the Board reimburse the Parents for the cost of individual and group therapy not covered by insurance?
7. Should the Board reimburse the Parents for travel cost to and from True North and Vista?
8. Is the Student entitled to Compensatory education for the denial of FAPE?

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Emotional Disability 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 disagreed with the program provided by the Board for the 2015-2016 school year and requested reimbursement for their unilateral placement at Vista Treatment Center, Sage Campus, Sandy, Utah. The Board refused the Parents' request and the Parents filed for due process. An impartial hearing officer was appointed on April 7, 2016; on April 8, 2016, the Board received notice of the due process request; a pre-hearing conference was held on April 20, 2016. In an electronic transmission, the Parents' attorney advised the hearing officer that the parties had resolved the issues and withdrew the matter with prejudice. The date for mailing the Final Decision and Order is June 21, 2016.

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