

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Groton Board of Education

Appearing on Behalf of the Parent: Attorney Courtney F. Spencer
Law Offices of Courtney P. Spencer, LLC
701 Hebron Avenue
Glastonbury, CT 06033

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program offered by the Board from May 2011 to the end of the 2010-2011 school year appropriate and did it provide the Student with FAPE in the LRE?
2. Is the program offered by the Board for 2011-2012 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
3. Does the program at the Chamberlain School in Massachusetts provide the Student with FAPE in the LRE?
4. Should the Board reimburse the Parent for the cost of the unilateral placement of the Student at the Chamberlain School from August 2011?
5. Is the Student entitled to compensatory education for the denial of FAPE for the 2010-2011 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Autism and is entitled to receive a free and appropriate public education (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. At a PPT meeting, the Parent rejected the program offered by the Board for the 2011-2012 school year. The Parent requested a residential program at Chamberlin School in Massachusetts. The Board refused the Parent's request. On or about October 5, 2011, the Board received notice of the Parent's request for due process. The parties agreed to go to mediation in place of a resolution meeting.

An impartial hearing officer was appointed on October 13, 2011 and a pre-hearing conference was held on October 19, 2011. Hearing dates of December 13 and 15, 2011 were chosen by the parties.

In an electronic transmission, the Parent's attorney advised the hearing officer that the parties were able to resolve the matter in mediation and that additional time was needed to clarify the agreement. In a letter from the Parent's attorney the hearing officer was notified that the agreement had been ratified and that the matter could be withdrawn with prejudice.

The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing date. The date for mailing the Final Decision and Order is February 17, 2012.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.