

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parent: Pro Se

Appearing on behalf of the Board: Attorney Marsha Moses  
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 for the 2015-2016 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 offered by the Board for the 2016-2017 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
3. Should the Student be placed at the Pinnacle School in Stamford for the 2016-2017 school year at public expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Autism 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 rejected the program offered by the Board for the 2016-2017 school year. The Parents requested placement at the Pinnacle School. The Board refused the Parents' request.

On April 26, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on April 26, 2016 and a pre-hearing conference was held on May 9, 2016. A hearing date of August 29, 2016 was chosen by the parties.

In an electronic transmission, the Parents withdrew the matter without prejudice. There was no objection by the Board. The date for the mailing of the Final Decision and Order was extended to accommodate the hearing date. The mailing date for the Final Decision and Order is September 7, 2016.

**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

Justino Rosado  
Hearing Officer Name in Print