

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Montville Board of Education

Appearing on behalf of the Parents: Attorney Courtney Spencer
Law Offices of Courtney Spencer, LLC
100 Riverview Center, Ste. 120
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Alyce Alfano
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, Connecticut 06103-1919

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the Board for the from September 1, 2013 to the end of the 2013-2014 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 and extended school year program (ESY) provided by the Board for the 2014-2015 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Should the Board reimburse the Parents for the cost of the services of Dr. Dufore?
4. Is the program and ESY provided by the Board for the 2015-2016 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
5. Does the program at River Street School provide the Student with FAPE in the LRE? If so;
6. Should the Board be responsible for the cost of the Student's placement at River Street School?
7. Did the Board commit a procedural violation by not allowing the Parents to be a meaningful participant in the decision making process?
8. Is the Student entitled to compensatory education for the denial of FAPE?

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 et seq.

At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2015-2016 school year. The Parents' requested placement at River Street School. The Board refused the Parents' request. The Parents filed for due process.

An impartial hearing officer was appointed on September 2, 2015. A pre-hearing conference was held on September 11, 2015. The parties agreed to forego a resolution meeting and proceed to mediation. The mediation date was October 20, 2015.

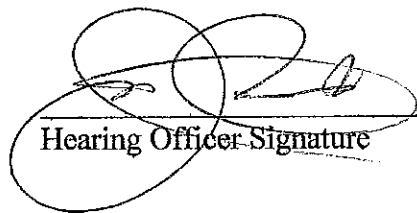
In an electronic transmission, the Parents' attorney advised the hearing officer that the matter had been settled, but an agreement had not been executed. The Parents' attorney withdrew the matter without prejudice. There was no objection by the Board. The date for mailing the Final Decision and Order is November 13, 2015.

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