

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 9 Board of Education

Appearing on behalf of the Parent: Attorney Piper Paul.
Law Offices of Piper Paul, LLC
P. O. Box 126E
Westport, CT 06881

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. Did the Board violate child find by not identifying the Student as eligible for special education and related services in a timely manner? If So;
2. Was the unilateral placement of the Student at Pacific Quest from May 16, 2016 to August 19, 2016 provide him with a meaningful education?
3. Should the Board be responsible for the cost of the unilateral placement?
4. Does the unilateral placement of the Student at Echo Springs, Bonners Ferry, Idaho, from August 19 to the end of the 2016-2017 school year provide him with a meaningful education?
5. Should the Board be responsible for the cost of the unilateral placement of the Student at Echo Springs from August 19 to the end of the 2016-2017 school year?
6. Should the Board be responsible for the cost of the Psychological evaluation by Dr. Emily Coleman?
7. Is the Student entitled to Compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student is not classified as 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 disagreed with the finding that the Student was not eligible to receive special education and related services as defined in IDEA. The Parents requested that the Student be found eligible. The Board denied the request.

Notice of the hearing request was received by the Board on October 19, 2016. An impartial hearing officer was appointed on October 20, 2016 and a pre-hearing conference was held on October 27, 2016. At the December 19, 2016 hearing, the parties telephonically, informed the hearing officer that the matter was resolved and withdrawn.

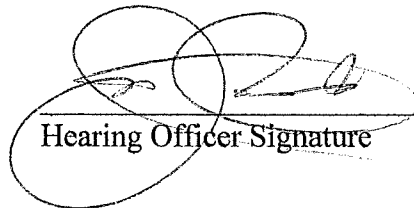
The mailing date was extended to accommodate the hearing dates. The date for the mailing the Final Decision and Order is February 1, 2017.

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