

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parents: Elizabeth Moyse, Esq.
Law Offices of Jennifer D. Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board: Christopher Tracy, Esq.
Shipman & Goodwin, LLP
300 Atlantic Street
Greenwich, CT 06901

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board from October 7, 2012 to the end of the 2012-2013 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 extended school year program offered by the Board for the summer of 2013 appropriate and did it provide the Student with FAPE in the LRE?
3. Was the program offered by the Board for the 2013-2014 school year appropriate and did it provide the Student with FAPE in the LRE?
4. Was the extended school year program offered by the Board for the summer of 2014 appropriate and did it provide the Student with FAPE in the LRE?
5. Is the program offered by the Board for the 2014-2015 school year, appropriate and does it provide the Student with FAPE in the LRE? If not;
6. Is the program at Trinity-Pawling School in Pawling, NY for the 2014-2015 school year appropriate and does it provide the Student with FAPE in the LRE?
7. Did the Board commit procedural violations in not evaluating the Student in all suspected areas of his disability?
8. Was the Student's deprivation of FAPE a violation of Section 504 of the Rehabilitation Act and/or the Americans with Disabilities Act?
9. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in 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 2014-2015 school year. The Parents requested placement at Trinity-Pawling School for the 2014-2015 school year. The Board refused the Parents' request.

On October 7, 2014, the Board received notice of the Parents' request for due process. An amended complaint was filed on October 20, 2014. The amended complaint altered the timeline for the mailing of the Final Decision and Order. The parties agreed to go to mediation in place of a resolution meeting. The mediation session was held on November 12, 2014.

An impartial hearing officer was appointed on October 6, 2014, a pre-hearing conference was held on October 13, 2014. Hearing dates of December 11 and 12, 2014 were chosen by the parties.

In an electronic transmission dated December 4, 2014, the Parent's attorney advised the hearing officer that the parties were able to resolve the issues and requested that the hearing dates be cancelled and the parties be given time to memorialize the agreement. On December 8, 2014, the Parents' attorney advised the hearing officer that the agreement had been ratified and requested that the matter be withdrawn with prejudice. There was no objection by the Board.

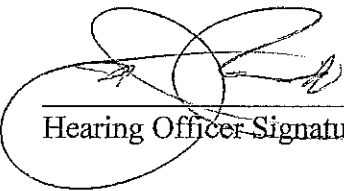
The date for the mailing of the Final Decision and Order is January 3, 2015.

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