

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Student: Attorney Philip J. Cohn
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board: Attorney Michelle Laubin
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 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)? If not;
2. Did the program at Aspiro and Telos Academy offer the Student FAPE in the LRE?
3. Should the Board reimburse the Parents for the cost of the placement of the Student at Aspiro and Telos Academy for the 2013-2014 school year?
4. Is the program provided by the Board for the 2014-2015 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
5. Is the unilateral placement of the Student at Logan River Academy appropriate and does it provide a meaningful education?
6. Should the Board be responsible for the cost of the unilateral placement of the Student at Logan River Academy?

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified with Emotional Disturbance 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 were in disagreement with the program provided by the Board for the 2014-2015 school year. The Parents requested placement at Logan River Academy. The Board refused the Parents' request and filed for due process.

On August 21, 2014, the Board received notice of the Parents' request for due process. The parties agreed to mediate the matter. The mediation date was October 10, 2014. An impartial hearing officer was appointed on August 22, 2014 and a pre-hearing conference was held on September 8, 2014. A hearing date of October 27, 2014 was chosen by the parties.

In an electronic transmission, the Parents' attorney advised the hearing officer that the parties were able to resolve the issues but requested additional time to prepare and ratify the agreement. On November 18, 2014, the Parents' attorney advised the hearing officer that the agreement had been signed and requested a withdrawal of the matter with prejudice. The date for the mailing of the Final Decision and Order was extended to November 26, 2014 to accommodate the signing of the agreement.

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