

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parent:

Elizabeth Moyse, Esq.  
Law Office of Jennifer Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

Appearing on behalf of the Board:

Christopher Tracey, Esq.  
Shipman & Goodwin, LLP  
300 Atlantic Avenue  
Stamford, CT 06901

Appearing before:

Sylvia Ho, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board evaluate Student in all suspected areas of disabilities?
2. Did the Board violate the Student's IDEA procedural safeguards?
3. Did the Board provide Student with an appropriate program for the 2012-2013 and 2013 ESY and 2013-2014 and 2014 ESY and 2014-2015 school years?
4. If the Board did not provide an appropriate program, is placement at Holy Spirit Elementary School appropriate?
5. Should the Board be required to reimburse Parents for their unilateral placement of Student at Holy Spirit Elementary School and education related expenses?
6. Should the Board be required to fund Student's placement with educational related services for the 2014-2015 school year?
7. Was the segregation of the student from his class at the parent-school assembly an act of retaliation [42 U.S.C. Section 12203(a) and 34 C.F.R. Section 100.7(e)] or interference [42 U.S.C. Section 12203(b) and 34 C.F.R. Section 100.7(e)] with the exercise and enjoyment of the rights protected under the ADA and Section 504?

**PROCEDURAL HISTORY/SUMMARY:**

The Parent filed the Due Process Complaint and Request for Hearing on November 25, 2014. The Hearing Officer was appointed on December 1, 2014 and conducted a Prehearing Conference on December 9, 2014. The hearing was scheduled for February 1 and February 2, 2015. The mailing date of the Final Decision was extended to March 6, 2015 and the hearing was rescheduled to March 4, 2015 in order for the parties to continue to engage in negotiations. On February 25, 2015, the Parent's attorney reported to the Hearing Officer that the parties had resolved their dispute and that the Parent was withdrawing the Due Process Complaint with prejudice.

**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).



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Hearing Officer Signature

Sylvia Ho

Hearing Officer

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Name in Print