

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Cheshire Board of Education

Appearing on behalf of the Student:

Attorney Courtney Spencer
The Law Office of Courtney Spencer LLC
100 Riverview Center, Suite 120
Middletown, CT 06457

Appearing on behalf of the Board of Education:

Attorney Marsha Moses
Berchem, Moses & Devlin PC
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

Reissued with corrected Board of Education

ISSUES:

1. Did the Board of Education timely evaluate and identify the Student as eligible to receive special education and related services?
2. Did the Board of Education offer the Student a free appropriate public education from March 27, 2013 forward?
3. If not, is a residential placement at Grove School appropriate for the Student?
4. If Grove School is appropriate, is the Student entitled to reimbursement for the expenses of Grove School?
5. Did the Board of Education allow meaningful parental involvement in the special education process including, but not limited to, predetermining decisions?
6. Is the Student entitled to reimbursement for the expense of:
 - The Student's unilateral placement;
 - A neuropsychological evaluation;
 - Tutoring;
 - Treatment with Dr. Pines and/or Dr. Jacobs; and/or
 - Compensatory Education
7. If the claim is not premature, is the Student entitled to a residential placement at Grove School for the 2015 extended school year and/or the 2015/2016 School Year?

PROCEDURAL HISTORY:

The Student filed this request for a special education due process hearing on March 27, 2015. The Hearing Officer was assigned to the case on March 30, 2015, and a prehearing conference was held on April 24, 2015. The deadline for submitting the final decision was established to

be June 10, 2015, and hearings were scheduled for June 12, 2015, June 22, 2015, July 22, 2015 and July 23, 2015.

On May 4, 2015, the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to July 10, 2015. The purpose of the requested postponement and extension was to accommodate the scheduled hearing dates in accordance with due process. The Board of Education did not object to the requested postponement and it was granted.

On June 1, 2015, the Student reported that the parties had reached a settlement in principal. The hearings scheduled for June 12, 2005 and June 22, 2015 were cancelled at the Student's request so that the parties could complete their settlement discussions. On July 2, 2015, the Student requested a second thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision. The purpose of the requested postponement was to accommodate the interest of due process in light of the scheduled hearing dates. The request was granted.

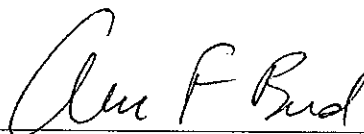
On July 20, 2015 the Student reported that the dispute had been finally resolved, and requested that the case be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is dismissed.

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

ANN F BIRD

Hearing Officer Name in Print