

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Winchester Board of Education

Appearing on behalf of the Parent:

Pro Se

Appearing on behalf of the Board:

Craig Meuser, Esq.
Chinni & Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before:

Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Did the Board deny the Student a free and appropriate education (FAPE) in the least restrictive environment (LRE) by failing to implement the 2014-2015 individualized education program (IEP)?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism and is entitled to receive a free and appropriate public education in the least restrictive environment 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 stated that the Board had failed to implement the 2014-2015 IEP. The Board denied the Parents' statement and the Parents requested due process. The Board received notice of the due process request on May 15, 2015. The parties advised the hearing officer that they would mediate the matter. The parties mediated on June 16, 2015 but mediation was not successful. An impartial hearing officer was appointed on May 18, 2015 and a pre-hearing conference was held on May 26, 2015. The parties chose July 9 and 15, 2015 as hearing dates.

The Parents opened the July 9, 2015 hearing to the public. Members of the public who attended the hearing identified themselves on the record and were informed that they could not record or photograph the proceedings, and, if they required a copy of the proceedings, they should contact the Parents.

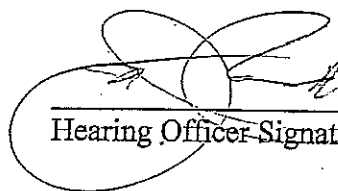
In order to attempt to resolve the matter and at the request of the parties, the hearing was adjourned. The parties were informed that the next hearing date would proceed without any further adjournments for discussions to resolve the matter. The parties later advised the hearing officer that they had resolved the issue and the Parents withdrew their hearing request. The July 15, 2015 hearing date was cancelled. The mailing date for the Final Decision and Order is July 29, 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