

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Colchester Board of Education

Appearing on behalf of the Parent: Attorney Jillian Griswold
Feinstein Education Law Group
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board: Attorney Anne Littlefield
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board from December 7, 2013 to the end of 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)?
2. Was the program and the extended school year program offered by the Board for the 2014-2015 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Was the program and the extended school year program offered by the Board for the 2015-2016 school year appropriate and does it provide the Student with FAPE in the LRE?
4. Does the Student require a program composed of a two day placement at Meliora Academy and three days of homebound instruction provided by Meliora Academy for the 2015-2016 school year in order to receive FAPE in the LRE?
5. Should the Board reimburse the Parents for the cost of applied behavioral analytic (ABA) services, parent training and assistive technology?
6. Is the Student entitled to Compensatory Education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism and is entitled to receive FAPE as defined in the Individuals With Disabilities Education 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 rejected the program offered by the Board for the 2015-2016 school year. The Parents requested a two day placement at Meliora Academy and three days of homebound instruction provided by Meliora Academy for the 2015-2016 school year. The Board refused the Parents' request. On December 7, 2015, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on December 7, 2015 and a pre-hearing conference was held on December 22, 2015. The parties agreed to go to mediation meeting on January 7, 2016. In an electronic transmission dated February 18, 2016, the Parents' attorney advised the hearing officer that the parties were able to resolve the issues and requested that the matter be withdrawn with prejudice. There was no objection by the Board. The withdrawal was granted. The date for mailing the Final Decision and Order is March 21, 2016.

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