

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parent: Lawrence W. Berliner, Esq.  
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Westport, CT 06880

Appearing on behalf of the Board: Attorney Marsha Moses  
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 offered by the Board for the 2016-2017 school year appropriate and does it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Does the Student require a residential placement, at public expense, at Grove School for the 2016-2017 school year, including extended school year (ESY), in order to receive FAPE in the LRE?
3. Is the Student entitled for compensatory education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student is classified 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 disagreed with the program offered by the Board for the 2016-2017 school year and requested placement at Grove School at public expense. The Board denied the request.


An impartial hearing officer was appointed on July 22, 2016 and a pre-hearing conference held on July 27, 2016. Notice of the hearing request was received by the Board on July 21, 2016. In an electronic transmission, the Parents' attorney informed the hearing officer that an agreement had been signed and withdrew the matter with prejudice. The mailing date was extended to accommodate mediation; the mailing date for the Final Decision and Order is November 4, 2016.

**FINAL DECISION AND ORDER:**

**THE 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

Justino Rosado  
Hearing Officer Name in Print