

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bristol Board of Education

Appearing on behalf of the Parent: Attorney Piper Paul  
Law Office of Piper Paul, LLS  
P.O. Box 126  
Westport, CT 06881

Appearing on behalf of the Board: Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, Connecticut 06103-1919

Appearing before: Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board violate child find by not identifying the Student as eligible for special education and related services in a timely manner? If so;
2. 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)?
3. Does the program at Options Educational Services including extended school year (ESY) provide the Student with FAPE in the LRE? If so;
4. Should the Board be responsible for the cost of an out of district placement of the Student at Options Educational Services for the 2016-2017 school year?
5. Is the Student entitled to Compensatory education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Multiple Disabilities 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 requested that the Student be identified as eligible for special education and related services and requested an out of district placement for the Student at Options Educational Services for the 2016-2017 school year. The Board refused the Parents' request.

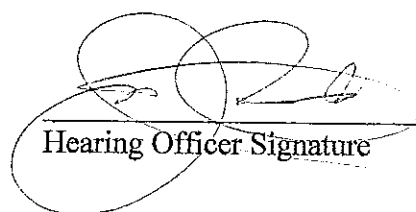
On July 27, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on July 29, 2016. A pre-hearing conference was held on August 3, 2016. The parties agreed to go to mediation. In an electronic transmission, the Parents' attorney advised the hearing officer that they were withdrawing the request for due process without prejudice; there was no objection by the Board. The date for mailing the Final Decision and Order is October 10, 2016.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITHOUT 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