

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stafford Board of Education

Appearing on Behalf of the Parents: Philip J. Cohn, Esq.
Cohn & Associates, LLC
277 Sturges Ridge Road
Wilton, CT 06897

Appearing on Behalf of the Board: Michelle C. Laubin, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program offered by the Board for the 2005-2006 school year, appropriate and provide the Student with a free and appropriate public education (FAPE) according to 20 U.S.C. §§ 1401 et seq?
2. Was the program offered by the Board for the 2006-2007 school year, appropriate and provide the Student with FAPE according to 20 U.S.C. §§ 1401 et seq?
3. Is the Student an autistic child entitled to receive special education and related services as defined in Individuals With Disabilities Education Act, 20 U.S.C. §§ 1401 et seq?
4. Is the program offered by the Board for the 2007-2008 school year, appropriate and provide the Student with FAPE according to 20 U.S.C. §§ 1401 et seq?
5. Did the Board commit procedural violations?
6. Is the Student entitled to a functional behavioral assessment at the Board's expense?
7. Should the Board provide the Student with compensatory education for the 2005-2006 school year?
8. Should the Board provide the Student with compensatory education for the 2006-2007 school year?
9. Is the program at Hope Academy appropriate and provide the Student with FAPE in the least restrictive environment (LRE) according to 20 U.S.C. §§ 1401 et seq?

10. Should the Board be required to pay for the Student's transportation to and from Hope Academy for the 2007-2008 school year?
11. Is the Student entitled to an extended school year for the summer of 2007?
12. Should the Board reimburse the Parent for the summer 2007 program consisting of occupational therapy, social skills intervention and counseling?
13. Was the §504 program offered by the Board appropriate?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 13 years and 11 months young man who has not been identified as a student entitled to receive a free and appropriate public education ("FAPE") as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At an April 2007 PPT meeting, the Board withdrew the student's classification as student requiring special education and related services. The Parents rejected the PPT's findings requesting that the Student remain as a student requiring special education and related services. The Board refused the Parents' request and the Parents requested due process.

On or about June 21, 2007, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on June 26, 2007 and a pre-hearing conference was held on July 3, 2007. Hearing date of August 15 & 16, 2007 was chosen by the parties. On or about August 3, 2007, mediation was held by the parties. As a result of the mediation meeting, notice was sent to the hearing officer stating that the matter had been settled.

The date for the Final Decision and Order is September 5, 2007.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.