

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Student:

Attorney Gary Mayerson
Mayerson and Associates
330 West 38th Street
New York, New York 10018

Appearing on behalf of the Board:

Attorney Christopher Tracey
Shipman & Goodwin, LLP
300 Atlantic Avenue
Stamford, CT 06901

Appearing before:

Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the Board for the 2014-2015 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 offered by the Board for the 2015-2016 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Did the Board impede the Parents from being meaningful participants at the PPT?
4. Does the program at Villa Maria Academy offer the Student FAPE in the LRE?
5. Should the Board reimburse the Parents for the cost of their independent psychological evaluation performed by Dr. Nancy Specter?
6. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified as Other Health Impaired 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 to the Student for the 2015-2016 school year and requested placement at Villa Maria for the 2015-2016 school year; the Board refused the Parents' request.

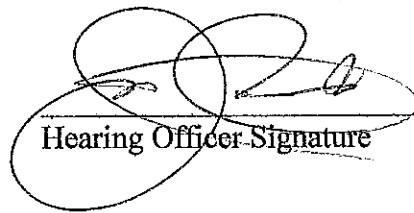
On October 13, 2015, the Board received notice of the Student's request for due process. An impartial hearing officer was appointed on October 13, 2015 and a pre-hearing conference was held on October 21, 2015. The parties agreed to attend a resolution meeting which was held on October 21, 2015. A hearing date of December 18, 2015 was chosen by the parties but in an electronic transmission dated December 17, 2015, the hearing officer was advised that the matter had been resolved and was withdrawn with prejudice. The mailing date of the Final Decision and Order is December 24, 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