

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Student:

Attorney Howard Klebanoff  
Attorney at Law  
76 High Farms Road  
West Hartford, CT 06107

Appearing on behalf of the Board:

Attorney Andreana Bellach  
Shipman & Goodwin, LLP  
300 Atlantic Avenue  
Stamford, CT 06901

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER (CORRECTED)**

*Reissued April 4, 2016*

**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 provided by the Board for the 2015-2016 school year appropriate and does it provide the Student with FAPE in the LRE?
3. Did the Student require an extended school year for the summer of 2015 in order to receive FAPE in the LRE?
4. Should the Board reimburse the Parents for their unilateral placement of the Student at the Pilot House and a para-professional to accompany her for the summer of 2015?
5. Does the unilateral placement at The Grove School offer the Student a meaningful education? If so:
6. Should the Board be responsible for the cost of the Student's placement at Crystal Springs for the 2015-2016 school year?
7. Should the Board be responsible for the services provided to the Student during the 2014-2015 school year?

**SUMMARY AND PROCEDURAL HISTORY:**

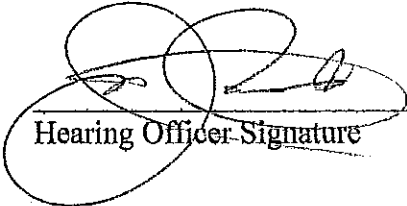
The Student has been identified with Multiple Disabilities and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered to the Student for the 2015-2016 school year and requested placement at The Grove School. The Board refused the Parents' request. On November 5, 2015, the Board received notice of the Student's request for due process. An impartial hearing officer was appointed on November 6, 2015 and a pre-hearing conference was held on November 19, 2015. The parties agreed to attend mediation on January 22, 2016 in lieu of a resolution meeting. In an electronic transmission, the Parents' attorney informed the hearing officer that the matter had been resolved and an agreement was signed. The Parents' attorney requested a withdrawal of the matter with prejudice. The mailing date of the Final Decision and Order was extended to February 26, 2016 to accommodate the mediation.

**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