

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Glastonbury Board of Education

Appearing on behalf of the Parents:

Pro Se

Appearing on behalf of the Board:

Attorney Leander Dolphin
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

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 requiring special education and related services according to the Individuals with Disabilities Education Improvement Act (IDEA)? If so,
2. Did the Board deny the Student a Free and Appropriate Public Education (FAPE) in the LRE from August 3, 2014 to the end of the 2014-2015 school year?
3. Did the Board deny the Student a FAPE in the LRE for the 2015-2016 school year?
4. Does the program offered by the Board for the 2016- 2017 school year provide the Student with FAPE in the LRE? If not;
5. Should the Student's 2016- 2017 school year program contain 8 hours of monthly consultation for school team and Parents with an autism consultant and a whole skill social program?
6. Did the Board commit a procedural violation by not providing proper prior written notice of the 6/21/16 PPT?
7. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has not been identified as entitled to receive a free and appropriate public education and related services (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 did not agree that the Student was not eligible to receive special education and related services as defined in IDEA. The Parents requested that the Student be found eligible to receive special education and related services. The Board refused the Parents' request and the Parents requested a hearing.

An impartial hearing officer was appointed on July 20, 2016 and a pre-hearing conference was held on August 17, 2016. A sufficiency challenge was filed by the Board on July 27, 2016. The Parents cured the sufficiency challenge on August 2, 2016. The parties agreed to mediation.

In an electronic transmission the Board's attorney advised the hearing officer that the matter was resolved and the Parents, in an electronic transmission, agreed that the matter was resolved and withdrew their request for due process. The date for the mailing of the Final Decision and Order was extended to accommodate mediation. The date for the mailing of the Final Decision and Order is November 16, 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