

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Milford Board of Education

Appearing on behalf of the Parents: Attorney Christina Ghio
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P. O. Box 186
Cheshire, CT 06410

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

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the Extended School Year program for the summer of 2015 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 did it provide the Student with FAPE in the LRE?
3. Was the Extended School Year program for the summer of 2016 appropriate and did it provide the Student with FAPE in the LRE?
4. Was the program provided by the Board for the 2016-2017 school year appropriate and did it provide the Student with FAPE in the LRE?
5. Does the Student require a residential program with oversight by a BCBA for the 2016-2017 school year in order to receive FAPE in the LRE?
6. Should the Board reimburse the Parents for all expended out of pocket educational expenses?
7. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Intellectual Disability 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. The Board received notice of the request for due process on February 1, 2017. An impartial hearing officer was appointed on February 8, 2017 and a pre-hearing conference was held on February 24, 2017. The parties attended a resolution meeting on February 15, 2017. In an electronic transmission, the Parents' attorney advised the hearing officer that the matter was being withdrawn without prejudice and requested cancellation of the June 27, 2017 hearing date. The Board did not object to the withdrawal or the cancellation of the hearing date; the hearing date was cancelled. The mailing date of the Final Decision and Order was extended to July 14, 2017 to accommodate the hearing date.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.