

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Hartford Board of Education

Appearing on behalf of the Parents: Courtney Spencer, Esq.
Law Office of Courtney Spencer, LLC
100 Riverview Center, Suite 120
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Rebecca Santiago
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 eligible to receive special education and related services as stated in the Individuals with Disabilities Education Improvement Act (IDEA) in a timely manner? If so;
2. Was the placement offered by the Board from November 9, 2016 to the end of the 2016-2017 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment? If not;
3. Should the Student be placed at Grove School for the 2016-2017 school year?
4. Should the Board reimburse the Parents for the cost of the Neuro-Psychological Evaluation conducted by Dr. Lord?
5. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Emotional Disturbance 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. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2016-2017 school year and requested placement of the Student at Grove School for the 2016-2017 school year. The Board refused the Parents’ request. On February 14, 2017, the Board received notice of the Parents’ request for due process. An impartial hearing officer was appointed on February 21, 2017 and a pre-hearing conference was held on March 15, 2017. The parties agreed to forego a resolution meeting and mediate the matter. In an electronic transmission, the Parents’ attorney informed the hearing officer that the matter was resolved. The Parents withdrew the matter with prejudice. The date for the mailing of the Final Decision and Order was extended to June 23, 2017 to accommodate the hearing date.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.