

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Avon Board of Education

Appearing on behalf of the Student: Attorney Jillian Griswold
Feinstein Education Law Group, LLC
945 Main Street, Suite 304
Manchester, CT 06355

Appearing on behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to provide Student with a free appropriate public education (“FAPE”) during that portion of the 2014-2015 school year, beginning on March 23, 2015 through the conclusion of the academic year?
2. Did the District fail to provide Student with a FAPE during the 2015-2016 school year?
3. Did the District err when it failed to find Student’s conduct a manifestation of his disability at a planning and placement team (“PPT”) meeting held on March 24, 2016?
4. Did the District err when it failed to find Student’s conduct a manifestation of his disability at a PPT meeting held on June 1, 2016 and did this failure result in an improper change of placement for student?
5. Did the District fail to provide Student with a FAPE during the 2016-2017 school year?
6. Did the District fail to offer an appropriate Individualized Education Program (“IEP”) for Student at the December 9, 2016 PPT meeting?
7. Did the District fail to offer an appropriate IEP for Student at the February 24, 2017 PPT meeting?
8. Are Parents entitled to reimbursement for privately obtained evaluations conducted by Dr. Seese and Dr. Carr?
9. Does The Grove School provide an appropriate program for Student and should Student be enrolled in the residential program there?
10. Is compensatory education an appropriate remedy?

PROCEDURAL HISTORY AND SUMMARY:

On March 23, 2017, the Board received a special education due process hearing request filed by Attorney for the Parents. The Connecticut State Department of Education appointed the

April 28, 2017

Final Decision and Order 17-0391

undersigned Hearing Officer on March 27, 2017. During the prehearing conference held on April 18, 2017, June 6, 2017 was set as the initial hearing date and was established as the deadline for mailing the final decision and order. Counsel jointly requested an extension of the deadline to mail the final decision and order, in order to allow the parties to engage in settlement negotiations and to accommodate the agreed upon hearing date schedule. This request was granted and resulted in a new deadline of July 6, 2017. On April 26, 2017, the Attorney for the Parents withdrew Parents' request for a special education hearing with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.