

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parents: Lawrence Berliner, Esq.
Law Office of Lawrence Berliner LLC
1720 Post Road East, Ste.214E
Westport, CT 06880

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the Board from April 19, 2015 to the end of 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)? If so;
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. Is the program provided by the Board for the 2016-2017 school year appropriate and does it provide the Student with FAPE in the LRE? If so;
4. Should the Board be responsible for the cost of the unilateral placement of the Student at the Pinnacle School for the 2016-2017 school?
5. Is the Board responsible for the assessment performed by Rebecca Velazquez, LCSW, Pauline Bailey M.A., Kristi Nguyen, OTR/L?
6. Is the Board responsible for the cost of the psychological evaluation performed by Dr. Sutera?
7. Is the Board responsible for the cost of the psychological evaluation performed by Dr. Steven Sichel?
8. Is the Student entitled to Compensatory Education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism 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 the planning and placement team (PPT) meeting, the Parents requested the Board be responsible for the cost of the unilateral placement of the Student at the Pinnacle School for the 2016-2017 school. The Board refused the Parents' request. On April 19, 2017, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on April 25, 2017 and a pre-hearing conference was held on May 11, 2017. A hearing date of July 13, 2017 was chosen by the

August 18, 2017

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parties. The parties agreed to a resolution meeting. The resolution meeting date was July 20, 2017. The hearing date was cancelled to allow the parties to memorialize an agreement. In an electronic transmission, the Parents' attorney advised the hearing officer that the matter had been resolved, and withdrew the matter with prejudice. The mailing date for the Final Decision and Order is September 1, 2017.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.