

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Region 9 Board of Education

Appearing on behalf of the Student: Attorney Phillip Cohn  
Goldman, Gruder and Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06854

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

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District violate its Child Find obligations during the 2015-2016 school year and was Student denied a free appropriate public education (“FAPE”) as a result?
2. Did the District violate its Child Find obligations during the extended school year (“ESY”) in the summer of 2016 and was Student denied a FAPE as a result?
3. Did the District violate its Child Find obligations during the 2016-2017 school year and was Student denied a FAPE as a result?
4. If the District failed to provide Student with a FAPE during the 2016-2017 school year, did WinGate Wilderness Therapy provide an appropriate program, and are Parents entitled to reimbursement for the tuition and related costs associated with Student’s enrollment in that program from September 15, 2016 through December 12, 2016?
5. If the District failed to provide Student with a FAPE during the 2016-2017 school year, did the Summit Preparatory Academy provide Student with an appropriate program and are Parents entitled to reimbursement for the tuition and related costs of Student’s enrollment from December 7, 2016 through the ESY in the summer of 2017?
6. Should the District place Student at Summit Preparatory Academy for the 2017-2018 school year at public expense?
7. Are Parents entitled to reimbursement for the following expenditures:
  - a. The cost of a psychological assessment performed by Abby Jenkins, PhD;
  - b. The cost of an educational consultant;
  - c. The cost of therapies not covered by insurance; and/or
  - d. Travel costs associated with Parents and Student traveling to and from WinGate Wilderness Therapy and Summit Preparatory School.

**PROCEDURAL HISTORY AND SUMMARY:**

On June 5, 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 undersigned Hearing Officer on June 6, 2017. During the prehearing conference held on July 10, 2017, August 25, 2017 was set as the initial hearing date and the deadline for mailing the final decision and order was established as August 18, 2017. On August 16, 2017, Attorney for the Parents requested an extension of the deadline for mailing the final decision and order in order to accommodate the agreed upon hearing date schedule. This request was granted and September 15, 2017 was established as the revised deadline for mailing the final decision and order. On August 20, 2017, Parents withdrew their request for a special education due process hearing with prejudice.

**FINAL DECISION AND ORDER:**

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