

July 17, 2018

Final Decision and Order 18-0418

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Parent:

Attorney Lawrence Berliner
1720 Post Road East Suite 214-E
Westport, Connecticut 06880

Appearing on behalf of the Board:

Attorney Chris Tracey
Shipman & Goodwin
300 Atlantic Avenue
Stamford, Connecticut 06901

Appearing before:

Jane Ford Shaw, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board violate Student's rights under the Individuals with Disabilities Education Act ("IDEA") by denying Student a free appropriate public education ("FAPE") for the 2015-16 school year commencing January 2016?
2. Did the Board violate Student's rights under the IDEA by denying FAPE for the 2016-17 school year?
3. Did the Board violate Student's rights under the IDEA by denying Student FAPE for the 2017-2018 school year?
4. Did the Board violate Student's rights under the IDEA by denying Student FAPE by unilaterally suspending Student's IEP during the period of September 2017 through November 2017? If so, is Student entitled compensatory occupational therapy services from Southfield Center or a similar provider and compensatory social skills services from OT Kid Works or a similar provider?
5. Is the Student entitled to an independent psychological educational evaluation at public expense pursuant to the January 11, 2018 PPT recommendation?

6. Is the Student entitled to compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Student is entitled to receive a free and appropriate public education in the least restrictive environment as defined in the Individuals with Disabilities Education Improvement Act (“IDEA”) §20 U. S. C. 1401 et seq. and Connecticut General Statutes § 10-76a et seq.

The Parents filed the Due Process Hearing Complaint on April 23, 2018. The Hearing Officer was appointed on May 3, 2018. The Parents withdrew their complaint with prejudice on July 13, 2018.

FINAL DECISION AND ORDER:

The matter is DISMISSED with prejudice.