

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Southington Board of Education

Appearing on behalf of the Parents: Pro Se

Appearing on behalf of the Board: Attorney Craig Meuser
Chinni & Meuser LLC
One Darling Lane
Avon, CT 06001

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board for the 2013-2014 school year appropriate and did it provide the Student with a free and appropriate public education in the least restrictive environment? if not;
2. Does the unilateral placement of the Student at Cheshire Academy provide the Student with a meaningful education?
3. Should the Parent be reimbursed for the cost of their unilateral placement of the Student at Cheshire Academy?
4. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEIA) 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 2013-2014 school year. (Hearing Officer Exhibit No. 2) The Parents requested reimbursement for the cost of their unilateral placement of the Student at Cheshire Academy for the 2013-2014 school year. The Board refused the Parents' request. On June 16, 2014, the Board received notice of the Parents' request for due process. A resolution meeting was scheduled for July 1, 2014.

An impartial hearing officer was appointed on June 16, 2014 (Hearing Officer Exhibit No. 1) and a pre-hearing conference was held on June 20, 2014. Hearing dates of August 12 and 21, 2014 were chosen by the parties.

On August 6, 2014, for personal reasons, the Parents requested cancelation of the August 12, 2014 hearing date. (Hearing Officer Exhibit No. 4) The hearing date was cancelled. On August 21, 2014, the Parents sent a letter by electronic transmission withdrawing their request for due process without prejudice for personal reasons. (Hearing Officer Exhibit No. 8) At the August 21, 2014, hearing date, the request was granted on the record. The Board did not object to the request. The date for the mailing

August 28, 2014

Final Decision and Order Case No. 14-0593

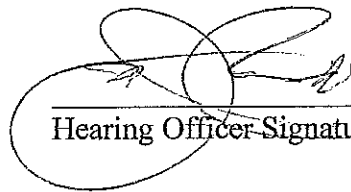
of the Final Decision and Order was extended to accommodate the hearing dates. The mailing date for the Final Decision and Order is September 29, 2014.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

Justino Rosado
Hearing Officer Name in Print