

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Parent: Attorney Jillian Griswold  
Feinstein Education Law Group, LLC  
945 Main Street, Suite 304  
Manchester, CT 06040

Appearing on behalf of the Board: Attorney Andreana Bellach  
Shipman & Goodwin, LLP  
300 Atlantic Avenue  
Stamford, CT 06901

Appearing before: Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board violate child find by not identifying the student as requiring special education and related services according to the Individuals with the Disabilities Education Improvement Act (IDEA) in a timely manner? If so,
2. Did the Board deny the Student a Free and Appropriate Public Education (FAPE) in the LRE from August 5, 2016 to the end of the 2014-2015 school year?
3. Did the Board deny the Student a FAPE in the LRE for the 2015-2016 school year?
4. Does the program offered by the Board for the 2016-2017 school year provide the Student with FAPE in the LRE? If not;  
Does the unilateral placement of the Student at Kildonan School for the 2016-2017 school year provide a meaningful education?
5. Should the Board be responsible for the cost of the unilateral placement of the Student at Kildonan School for the 2016-2017 school year?
6. Should the Student's program contain a whole skill social program?
7. Should the Board reimburse the Parents for the cost of the evaluation by Dr. Nancie Spector?
8. Should the Board reimburse the Parents for the cost of private tutoring?
9. Is the Student entitled to compensatory education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has not been identified as 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.

December 15, 2016

Final Decision and Order 17-0079

At a planning and placement team (PPT) meeting, the Parents requested Board reimbursement for their unilateral placement of Student at Kildonan School for the 2016-2017 school year. The Board denied the Parents' request.

On August 5, 2016, the Board received notice of the Parents request for due process. An impartial hearing officer was appointed on August 8, 2016 and a pre-hearing conference was held on August 18, 2016. The parties agreed to a mediation session. The mediation date was September 23, 2016.

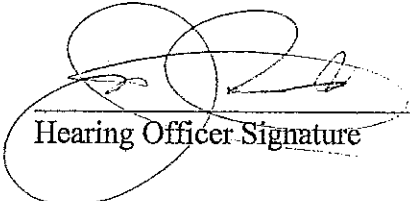
In an electronic transmission the parties advised the hearing officer that the matter had been resolved but had not received the executed agreement. The Parents' attorney withdrew the matter without prejudice. The mailing date of the Final Decision and Order was extended to December 16, 2016 to accommodate the hearing date.

**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