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Connecticut Decisions by Hearing Officer

Hearings filed during 2007-2010 (four-year period)
 Data from the Bureau of Special Education Website¹
 Prepared by Diane Willcutts
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Data Summary for 2007-2010

Total number of hearings filed: 631
 Number of hearings that were decided on the merits: 8.4% (53)

Hearings filed by parents:² 84.9% (45)
 Hearings filed by board: 15.1% (8)

Percentage of parents represented by counsel: 60.3% (32)
 Percentage of boards represented by counsel: 100% (53)

Decisions for parents (excluding mixed/unclear decisions): 29.2% (14)
 Decisions for school districts (excluding mixed/unclear decisions): 70.8% (34)
 Decisions for pro se parents (of cases filed pro se): 5.3% (1)
 Decisions for represented parents (of cases filed with an attorney): 44.8% (13)

No.	Hearing Officer	Prevailing party	District	Parent rep.	Board rep.	Decision No.	Disability type	Findings and other info. related to decision
1.	Borrino	Board	Stamford	Joseph Sargent	Freedman	07-111	OHI with emotional disabilities	Complaint beyond statute of limitations; student 18; graduated
2.	Borrino	Parent	Wallingford	Spencer	Dorsey	07-500	SLD	Board did not offer FAPE/ BBA is FAPE
3.	Borrino	Parent	Plainville	Piper Paul	Bernabo	09-0113	ED	Bipolar student, in-district program not appropriate, district's diagnostic placement not appropriate, Chamberlin appropriate, reimbursement
4.	Gelfman	Not clear	Norwalk and magnet school	Pro se	Moses, Bellach	07-091	ED	Discipline problems

¹ Decisions of Connecticut Special Education Hearings are found here: <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320712> Only decisions decided on the merits are included in this table.

² Typically, Boards do not need to file for hearings. If there is disagreement between parents and Board, the Board's program goes into effect unless the parents file for a hearing.

No.	Hearing Officer	Prevailing party	District	Parent rep.	Board rep.	Decision No.	Disability type	Findings and other info. related to decision
5.	Gelfman	Board (filed)	Not listed	Pro se	Meuser	07-429	ED	Board to conduct psychiatric eval., board program is appropriate (diagnostic placement to occur out of district)
6.	Gelfman	Board (filed)	Not stated	Pro se	Andrea Bellach and Alexis Cole	10-0143	ID (Downs)	Board placement determined to be appropriate.
7.	Gelfman	Parents	Not stated	Laviano	McKeon	10-0359	OHI and ED,	Hearing officer found that the school program was not appropriate. Ordered reimbursement for tutoring and evaluations and homebound instruction with five hours of private daily tutoring.
8.	Gelfman	Board	Not stated	Pro se	Board of Ed's Corporation Council	10-0461	S/L	Hearing officer found that school program was appropriate.
9.	Jerman	Mixed	Bethel	Shaw	Freedman	10-0218	autism	Parent raised issues re: LRE for preschool and kindergarten. Hearing officer found that Board's proposed program was inappropriate for ESY but found to be appropriate for kindergarten and preschool.
10.	Jerman	Mixed	Colchester	Marie Mascolo	Anne Littlefield	10-0462	OHI and autism	Hearing officer found that school program was appropriate during two years but not appropriate in another. Ordered a PPT be convened to determine need for OT services. No other remedies.
11.	Kearns	Parent	Waterbury? (not listed)	Pro se	Corporation Council for Waterbury	07-145	Autism	School's IEP is not appropriate, restraints, transportation company not trained to implement behavior plan, 2 hours' transportation to/from school not appropriate, residential placement, consultants
12.	Kearns	Board	Not listed	Pro se	Rachel Kuschel	07-352	SLD?	District program is FAPE, no need to reimburse tutoring costs
13.	Kearns	Board	Not listed	Pro se	Rachel Kuschel	07-353	SLD?	Same as 07352, siblings hearings were consolidated
14.	Kearns	Board	Not listed	Pro se	Yoder	09-0226	Emotional disability	Board offered FAPE in LRE at therapeutic placement. (Parent requested FAPE be provided in home district.)

No.	Hearing Officer	Prevailing party	District	Parent rep.	Board rep.	Decision No.	Disability type	Findings and other info. related to decision
15.	Kearns	Parent	Not listed	Spencer	Santiago	09-0242	Cerebral palsy	Board program was not FAPE. Required to reimburse parents for private PT. IEP to be modified to include 10 hours a week of services from private PT. IEP to include ESY.
16.	Meyers	Not clear	Hartford	Pro se	Ann Bird	07-020	ED	180-page decision
17.	Meyers	Board (filed)	Not listed	Pro se	Connon	07-086	Behavior concerns	District has a right to evaluate with various caveats
18.	Meyers	Board	Regional school district not specified	Spencer	Meuser	07-323	OHI	District does not have to provide IEE, board offered FAPE
19.	Meyers	Board	New Haven	Pro se	Moses	09-0433	ED	Board provided FAPE. Complex issues included bullying, use of restraint, placement out of district.
20.	Not listed on decision	Parent	Wallingford	Eric Sussman	Dorsey	09-0106	Autism	Meliora Academy (BDES) to provide transition program to public school. A state-approved private program would not be appropriate.
21.	Oppenheim	Board	Ashford	Pro se	Laubin	07-101	OHI (ADHD)	School's program appropriate, parents not entitled to reimbursement
22.	Oppenheim	Parent	RSD 9	Shaw	McKeon	07-139	(Lyme CND)	Board failed to identify student eligible for special education, ordered compensatory ed, reimbursement for evals., etc.
23.	Oppenheim	Parent	RSD 19	Bernabo	Yoder	07-170	Deaf/blind	District's proposed program not appropriate/Perkins is appropriate
24.	Oppenheim	Board	Not listed	Philip Cohn	McKeon	07-252	(Aspergers dx)	Decided student not eligible for special ed., not entitled to compensatory ed.
25.	Oppenheim	Parent	East Hartford	Shaw	Yoder	07-378	ID	Board to provide IEE, comp ed, consultant for program, etc.
26.	Oppenheim	Board (filed)	Bloomfield	Pro se	Chinni	09-0036	ED	School seeking outplacement at Grace Webb, overriding parent's refusal
27.	Oppenheim	Board	Salem and East Lyme	Gordon Kirkman	Dorsey	09-0273	Hearing impairment	Board provided FAPE, did not harass student, does not have to reimburse for any expenses associated with private, out-of-state school
28.	Oppenheim	Board	Fairfield (Board filed)	Pro se	Moses	09-0536	Autism	School's Functional Behavioral Assessment (FBA) was appropriate. Parent not entitled to IEE.
29.	Oppenheim	Board (filed)	Not stated	Pro se	Michelle Laubin	10-0070	ED (bipolar)	Hearing officer ordered the diagnostic placement at Connecticut Junior Republic, as well as psychiatric, OT, academic, and AT evaluations.

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30.	Oppenheim	Board (filed)	Not stated	Pro se/no appearance	Craig Meuser	10-0371	Hearing impairment	Hearing officer found that proposed board program in neighborhood school is appropriate.
31.	Rosado	Board	Newtown	Pro se	Laubin	07-104	OHI (Tourette's ADHD)	School's program is appropriate, parent not entitled to reimbursement for private placement or IEE
32.	Rosado	Parent	Orange	Belanger	Meuser	07-349	autism	District's program not FAPE, CCCD is FAPE, IEE, compensatory ed.
33.	Rosado	Board (filed)	Wallingford	Nicola Cunha	Dorsey	07-363		Board to be permitted to conduct initial evaluation
34.	Rosado	Board	Westport	Berliner	Moses	09-0180	Developmental delay	Board offered FAPE and does not have to provide private services.
35.	Rosado	Parent	Not listed	Spencer	Chinney	09-0344	Emotional disturbance	Board did not provide FAPE. Board to provide compensatory ed., FBA, psychiatric eval., etc.
36.	Rosado	Board	Milford	Lawrence Berliner	Michelle Laubin	10-0043	SLD	Board program appropriate; hearing officer denied reimbursement for Thames Academy and for IEE. Board properly graduated student.
37.	Rosado	Parent	Winchester	Christine Barrington	Mark Sammoruga	10-0069	autism	Board's post-high school transition program did not provide FAPE. District to reimburse parent for private placement at Berkshire Academy. District also to provide one year of compensatory education to the student at CIP at Lee College.
38.	Rosado	Board	Farmington	Pro Se	Julie Fay	10-0415	SLD	Board placement found to be appropriate; denied tutoring at Learning Incentive.
39.	Spak	Parent	Newtown	Belanger	Laubin	07-075	ID	School program not appropriate, Foundation school appropriate, compensatory ed, reimburse for evals
40.	Spak	Parent	RSD 9	Berliner	McKeon	07-904	ED	Child find violations, Board program not appropriate, required to reimburse parents, comp. ed,
41.	Strong	Mixed	Clinton	Feinstein	Littlefield	07-046	OHI	School program not appropriate, private placement also not appropriate, reimbursement for evals. and speech therapy
42.	Strong	Board	Danbury	Berliner	Chinni	07-066	OHI	School program appropriate, parents not reimbursed for Kildonan
43.	Strong	Board	Darien	Phil Cohn/Kevin Chamberlin	Freedman, Goodman	07-118	Autism	Board offered FAPE

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44.	Strong	Board	RSD 6	Pro se	Littlefield	07-247	SLD (also refers to emotional disabilities)	District's program at Cedarhurst and ECA is appropriate, parents not entitled to compensatory ed.
45.	Strong	Board	East Hartford	Lynn Cochrane, GHLA	Yoder	07-254	Multiple disabilities	District can provide FAPE in district, student does not require bilingual para
46.	Strong	Board	North Haven	Shaw	Yoder	07-358	ID	District proposed FAPE (out-of-district placement), student with behavior issues, parents' proposed in-district program that hearing officer deemed too expensive
47.	Strong	Board (filed)	Norwalk	Pro se	Moses	07-372	ED	Board proposal of High Road is FAPE and LRE
48.	Strong	Parent	Greenwich	Shaw	Abby Wadler, Assist. Town Attorney	07-396	S/L and SLD	Board to provide IEE, comp ed., consultant for program, etc.
49.	Strong	Board	New Fairfield	Daniel Thomas (NY)	Yoder, Goodman, Santiago	07-409	Orthopedic impairment	Board not required to provide myoelectric arm
50.	Strong	Board	New Fairfield	David Shaw	Rebecca Santiago	10-0166	S/L or SLD	Hearing officer stated that there was no delay in identifying child as eligible for special education. Board placement deemed to be appropriate.
51.	Strong	Board	Greenwich	Lindy Urso	Abby Wadler	10-0273	OHI/ADHD	Hearing officer found that behavior was not a manifestation of disability.
52.	Strong	Board	Newtown	Surrogate parent/pro se	Michelle Laubin	10-0319	Autism/ED	Hearing officer determined that the Board placement at Lighthouse Vocational Education Center is appropriate.
53.	Strong	Board	Portland	Christine Barrington	Peter Murphy	10-0492	SLD (not identified for special education)	Hearing officer found that the student was not eligible for special education, denied compensatory education, and refused to order District to engage a private SRBI agency.