

STATE OF MAINE
SPECIAL EDUCATION DUE PROCESS HEARING

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v.

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AMENDED
ORDER

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Monhegan Plantation

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On June 20 and 22, 2011, a hearing was held before the undersigned hearing officer pursuant to Title 20-A, MRSA §7202 et. seq., and 20 U.S.C. §1415 et. seq., and accompanying regulations, and a decision and order issued on July 14, 2011. Richard O’Meara, Esq., represented the Parents, and Heather Sanborn, Esq., represented the Monhegan Plantation School Department (“District”).

On March 7, 2012, the parties, through the above-named counsel, submitted a Joint Post-Hearing Motion to Amend Order, due to a change in circumstances of the Parents. In my July 14, 2012, I concluded that the Monhegan Plantation School Department (“District”) remained responsible for the Student’s education because he was residing in Rockland only for educational purposes. The parties have represented that the Student will reside with his mother in Rockland, Maine, not merely for purposes of education, but for all purposes. The Mother has also expressed her intent to register the Student as a student of Regional School Unit 13 (“RSU #13”). Consequently, the Order issued on July 14, 2011 is amended as follows:

1. In light of the changed circumstances set forth above, as of the date on which the Student is successfully registered as a student of RSU #13, the District shall no longer be required to pay tuition and special education costs for the Student.

2. In light of the changed circumstances set forth above, effective following the end of the 2011-2012 school year, the District shall no longer be required to reimburse the Parents \$1000 per month for room and board in connection with the Student's education.

All other provisions of the July 14, 2011 Order not inconsistent with the above amendments shall remain in effect.

SO ORDERED.

Dated: March 9, 2012

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Hearing Officer