

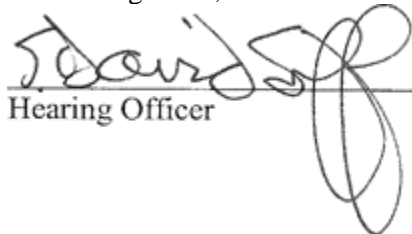
STATE OF NEW HAMPSHIRE  
STATE DEPARTMENT OF EDUCATION  
IDPH FY 07-08-011 / Chesterfield School District

ORDER

Upon review of the Agreed Statement of Facts, the Assented to Motion for Summary Judgment, and the oral representations of counsel for the parties, it is ordered as follows:

- 1) The Assented to Motion for Summary Judgment is granted.
  
- 2) The Chesterfield School District shall reimburse the parents for the following costs of Student's educational program at the School, Massachusetts which costs include the cost for the ESY day program at the School for the summer of 2006 day student tuition and related services for the 2006-2007 school year as follows: the cost of the day student tuition rate, the cost for agreed upon related services as set forth in the IEP and not covered by the day student tuition rate, and the technology fee and athletic uniform fee, said fees to be paid per month for each full month Student is enrolled (the monthly or daily amounts will be increased proportionally in accordance with any school-wide tuition increases) (if the School requires a different payment schedule the School District will comply with the same) for the period commencing no sooner than September 1, 2006 for the 2006-2007 school year and ending when Student's IEP team reaches consensus on a different placement that will provide ... with a free appropriate education at public expense, or absent such consensus, when a hearing officer or court of competent jurisdiction orders that Student's placement shall no longer be at the School, said reimbursements being conditioned on student's actual attendance at the School on the months and days for which reimbursement is sought, and Student. and ... parents continuing to be residents of the Chesterfield School District and the Chesterfield School District continuing to be the legally liable school district in this matter; further, the School shall in no instance be considered a stay-put placement for Student. The School District will reimburse the parents for the cost of the summer of 2006 ESY program within thirty (30) days of this Order.
  
- 3) The Chesterfield School District shall be permitted to fulfill its reimbursement obligation by making monthly payments of the foregoing amounts directly to the School, said payments to be credited to the account of parents for the education of Student.
  
- 4) The Chesterfield School District shall reimburse the parents for the cost of transportation between Student's home and the School as a related service for as long as Student attends the School, subject to the same conditions set forth in Paragraph 2). The School District shall be permitted to fulfill its reimbursement obligation by making payments directly to the transportation carrier, for those time periods in which parents are not directly providing the transportation.

Dated: August 16, 2006

  
Hearing Officer