

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent:

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Appearing on behalf of the Board:

Attorney Melinda B. Kaufmann
Assistant Corporation Counsel
City of Hartford
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Hartford, CT 06103

Appearing before:

Attorney Mary H.B. Gelfman
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to timely complete evaluations during the 2009-2010 school year?
2. Did the Board fail to provide a free appropriate public education (FAPE) since February, 2009, by failing to timely implement the Individualized Education Program (IEP), and a subsequent IEP, and placement?

PROCEDURAL HISTORY:

This hearing was requested by Parents on January 24, 2011, and the Hearing Officer was appointed on the same day. The date for mailing the decision was April 6, 2011.

A pre-hearing conference was held on February 9, 2011. At that time, the Parties reported that a resolution meeting was scheduled for February 10, 2011. The hearing was scheduled for March 3, 7, 10, and 17, 2011.

On February 14, 2011, the Parties notified the Hearing Officer that the case had been settled in the resolution meeting and the request for hearing had been withdrawn.

All motions and objections not previously ruled upon, if any, are hereby overruled.

SUMMARY:

This thirteen year old Student had been classified as emotionally disabled. A Planning and Placement Team (PPT) meeting held after a psychiatric evaluation in February, 2009, recommended a more restrictive placement. However, she continued in a regular education classroom. At her February, 2010, Annual Review, an outside behavioral evaluation was recommended. In September, 2010, a manifestation determination meeting was held after a violent episode in school, and the behavior was deemed a manifestation of her disability. A diagnostic placement was recommended. The PPT reconvened in November, 2010. Homebound instruction was discussed, but no contact was made to arrange that service. The Student did not return to school.

Parent requested a hearing to address lack of an appropriate special educational program and compensatory education for the period Student was without any educational services. A Resolution Meeting held on February 10, 2011, resulted in a settlement agreement, and the request for hearing was withdrawn.

In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and related regulations at 34 C.F.R. § 99, the following decision uses "Student", "School", "Parent". And titles of school staff members and other witnesses in place of names and other personally identifiable information.

FINAL DECISION AND ORDER:

This matter having been settled and the request for hearing having been withdrawn, the case is DISMISSED.