

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parents: Attorney Courtney P. Spencer
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100 Riverview Center, Suite 290
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Frederick L. Dorsey
Kainen, Escalera, and McHale, PC
21 Oak Street, Suite 601
Hartford, CT 06106

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Board's proposed program for the 2014-2015 school year provide the Student with a Free Appropriate Public Education "FAPE"?
2. Does the Student require the residential component of a therapeutic program?
3. Does the Student require an Extended School Year Program for the 2014 summer?
4. Has the Board violated Student's procedural safeguards including, but not limited to, failing to provide the Student with a copy of Student's Individualized Education Program in a timely manner?
5. If the Board has violated Student's procedural safeguards, did such violations operate to deny the Student a FAPE?

PROCEDURAL HISTORY AND SUMMARY:

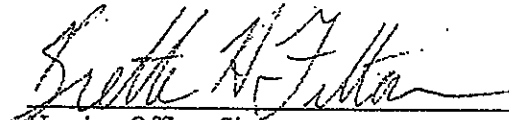
On April 22, 2014, the Hartford Board of Education received a Request for a Special Education Due Process Hearing. The undersigned Hearing Officer was appointed on April 21, 2014. On May 6, 2014, a prehearing conference was held and hearing dates of June 27, 2014, July 14, 2014, and July 16, 2014 were set. The original deadline for the mailing of the Final Decision and Order was established as July 6, 2014. During the prehearing conference, Counsel for the Parents requested an extension of the deadline for the mailing of the Final Decision and Order in order to accommodate additional hearing dates. The extension request was granted and August 5, 2014 was established as the new deadline for the mailing of the Final Decision and Order. On May 22, 2014, Counsel for the Parents withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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

Brette H. Fitton
Hearing Officer Name in Print