

July 23, 2012

Final Decision and Order 12-0466

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Region 7 Board of Education

Appearing on behalf of Student:

Parent, Pro Se

Appearing on behalf of the Board:

Attorney Mark J. Sommaruga  
Sullivan, Schoen, Campana & Connon, LLC  
646 Prospect Avenue  
Hartford, CT 06105

Appearing before:

Attorney Brette H. Fitton, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Individualized Education Program offered by the Board for the 2012-2013 academic year is appropriate or whether it is inappropriate because it fails to provide Student with a Free Appropriate Public Education in the Least Restrictive Environment?
2. If the program offered by the Board is not appropriate, what is the appropriate program?
3. Whether or not the Prior Written Notice section of Student's Individualized Education Program, dated April 2, 2012, contained inaccuracies?
4. If the Prior Written Notice section of Student's Individualized Education Program dated April 2, 2012, contained inaccuracies, did this result in a violation of Student's Procedural Safeguards, and, if there was a violation of Student's Procedural Safeguards, was Student denied a Free Appropriate Public Education as a result?

**SUMMARY:**

On June 7, 2012 the Region 7 Board of Education received a request for a special education due process hearing from Parent of Student. The undersigned hearing officer was appointed on June 6, 2012. The original deadline for the mailing of the final decision and order was August 21, 2012. On June 14, 2012, a prehearing conference was held with Parent and Attorney for the Board, during which Parent raised additional issues not contained in her original hearing request. On June 20, 2012, the Parent filed an amended request for a special education due process hearing. On June 21, 2012, the Attorney for the Board filed a Statement on Parent's request to amend complaint. A second prehearing telephone conference with Parent and Attorney for the Board was held on June 29, 2012 to discuss the proposed amendments to the hearing request and confirm hearing dates. The issues identified by the parties during this second conference are those set forth above. The filing of the amended complaint resulted in a revised deadline for the mailing of the final decision and order. The revised deadline was September 3, 2012. Hearing dates were scheduled for July 31, August 2, August 6, and August 7, 2012. On July 21, 2012, Parent notified the hearing officer that she was withdrawing her hearing request.

**FINAL DECISION AND ORDER:**

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.