

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

South Windsor Board of Education v. Student

Appearing on behalf of the Parent:

Pro Se

Appearing on behalf of the Board:

Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the program provided by the Board from February 11, 2013 to the end of the 2012-2013 school year appropriate and provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the program provided by the Board for the 2013-2014 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Was the program provided by the Board for the 2014-2015 school year appropriate and did it provide the Student with FAPE in the LRE?
4. Has the Student been evaluated in all suspected disabilities?
5. Does the Student require an out-of-district placement in order to receive FAPE in the LRE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Specific Learning Disability and is entitled to receive a free and appropriate public education (FAPE) as defined in the Individuals With Disabilities Education Improvement Act (IDEIA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

At a planning and placement team (PPT) meeting, the Parent rejected the program for the 2014-2015 school year and requested an out-of-district placement. The Board refused the Parent's request and the Parent filed for due process. The parties agreed to a resolution session and if it was not successful to proceed to mediation to resolve the matter. The date of the resolution session was pending.

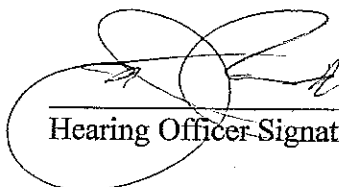
An impartial hearing officer was appointed on February 11, 2015 and a pre-hearing conference was held on February 17, 2015. A hearing date of March 23, 2015 was chosen by the parties. In an electronic transmission, the Parent requested that the matter be withdrawn without prejudice because they did not want to proceed without legal representation. There was no objection by the Board. The withdrawal was granted. The mailing date for the Final Decision and Order is April 26, 2015.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITHOUT PREJUDICE.**

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

Justino Rosado  
Hearing Officer Name in Print