

March 16, 2015

Case Number: 15-0372

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Student: Attorney Amy Corbett Dion
Greater Hartford Legal Aid
999 Asylum Avenue, 3rd Floor
Hartford, CT 06105-2465

Appearing on behalf of the Board: Attorney Christine Chinni
Chinni & Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District err when it determined that the Student's conduct on 12/17/2015 was not a manifestation of his disability?
2. Did the District fail to provide Student with a Free Appropriate Public Education for the 2014-2015 academic year?

PROCEDURAL HISTORY AND SUMMARY:

On February 20, 2015, the Hartford Board of Education received a request for a Special Education Due Process Hearing containing an issue requiring an expedited hearing and another issue which was not expedited in nature. During the prehearing conference held on February 25, 2015, hearing dates of March 6, 2015, March 10, 2015, and March 11, 2015 were set. Counsel agreed during the prehearing conference that the hearing should be bifurcated due to the expedited nature of Issue 1 and the non-expedited nature of Issue 2. The mailing deadline for the Final Decision and Order for the expedited matter was established as March 20, 2015 and the mailing deadline for the Final Decision and Order for the non-expedited matter was established as May 6, 2015.

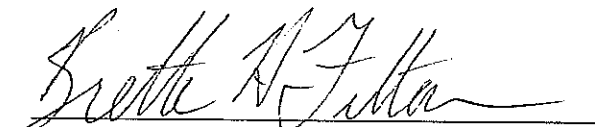
On March 3, 2015, Attorney for the Student sent correspondence to the Hearing Officer in which she indicated both the expedited and non-expedited issues had been resolved and that Student was withdrawing his Special Education Due Process Hearing Request

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