

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Student: Parent Pro Se

Appearing on behalf of the District: Attorney Andrea Bellach
Attorney Christopher Tracey
Shipman & Goodwin
300 Atlantic Street
Stamford, CT 06901-3522

Appearing before: Attorney Ann F. Bird, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Did the Board of Education fail to give advance notice of the observation to the Student in violation of IDEA, and if so, did the Board's failure substantially impede the Student's ability to participate in the decision making process?
2. Did the Board of Education fail to share the content of the observation with the Student in violation of IDEA, and if so, did the Board's failure substantially impede the Student's ability to participate in the decision making process?
3. Did the Board of Education fail to work directly with the Student in scheduling the PPT of October 6, 2011 in violation of IDEA, and if so, did the Board's failure substantially impede the Student's ability to participate in the decision making process?
4. Did the Board of Education fail to send written notice of the October 6, 2011 meeting to the Student in violation of IDEA, and if so, did the Board's failure substantially impede the Student's ability to participate in the decision making process?
5. Did the Board of Education fail to share notes of the October 6, 2011 PPT meeting in violation of IDEA, and if so, did the Board's failure substantially impede the Student's ability to participate in the decision making process?
6. Did the Board of Education fail to share evaluation reports with the Student, and if so, did the failure substantially impede the Student's ability to participate in the decision making process?

PROCEDURAL HISTORY

The Student submitted a pro se Request for Impartial Special Education Hearing dated October 14, 2011. The Hearing Officer was assigned to the case on October 21, 2011. The Wilton Board of Education filed a timely Motion to Dismiss the Due Process Request and Sufficiency Challenge on October 28, 2011. On November 2, 2011, the Hearing Officer granted the Board of Education's Sufficiency Challenge and allowed the Student leave to file an Amended Request for Due Process.

The Student timely filed an amended Request for Due Process on November 11, 2011. On November 18, 2011, the Board of Education filed a timely Second Motion to Dismiss the Amended Request for Due Process and Sufficiency Challenge. On November 23, 2011, the Hearing Officer issued an Order determining that the Amended Request for Due Process was sufficient.

A telephonic prehearing conference was conducted on December 8, 2011. At that time, the Hearing Officer announced that an evidentiary hearing on portions of the Board of Education's Motion to Dismiss would be required. A hearing was scheduled for the Board of Education's Motion to Dismiss on January 26, 2012. On December 9, 2011, the Hearing Officer issued an Order granting portions of the Board of Education's Motion to Dismiss, and reserving other portions for consideration at the evidentiary hearing scheduled for January 26, 2012.

On January 11, 2012, Counsel for the Board of Education submitted a request for a thirty-day extension of the timeline for conducting the hearing and mailing the final decision. On January 12, 2012, the Hearing Officer granted the request for an extension of 30 days, to February 24, 2012.

On December 30, 2011, the Student submitted a proposed Further Amendment to the Amended Request for Due Process. On January 20, 2012, the Hearing Officer granted the Student's Request to Further Amend Request for Due Process. The deadline for completing the hearing and filing a final decision was adjusted to March 14, 2012.

On January 18, 2012, Counsel for the Board of Education submitted a Witness List as well as Proposed Exhibits to the Hearing Officer and the Student. On January 19, 2012, the Student submitted Proposed Exhibits to the Hearing Officer and Counsel for the Board of Education.

On January 24, 2012, the Student requested withdrawal of the Student's Further Amended Request for Due Process. As a result, the Hearing Officer canceled the hearing scheduled for January 26, 2012.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.