

November 6, 2015

Case Number: 16-0085

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Southington Board of Education

Appearing on behalf of the Student:

Attorney Christina Ghio
The Law Office of Christina Ghio, LLC
PO Box 186
Cheshire, CT 06410

Appearing on behalf of the Board:

Attorney Craig Meuser
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 fail to provide Student with a Free Appropriate Public Education for the 2014-2015 school year?
2. Did the District fail to provide an appropriate Individualized Education Program, program or placement for the Extended School Year during the summer of 2015?
3. Did the District fail to offer an appropriate Individualized Education Program, program or placement for the 2015-2015 school year?
4. Did the District discriminate against the Student based on Student's identification as an individual with a serious mental illness?

PROCEDURAL HISTORY AND SUMMARY:

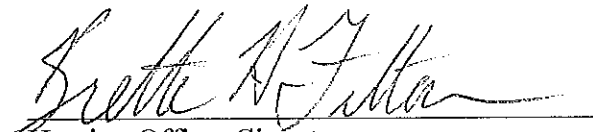
On August 7, 2015, the Board received a Special Education Due Process Hearing Request filed by Attorney for the Student. The Hearing Officer was appointed on August 10, 2015. During the prehearing conference held on August 20, 2015, a hearing date of October 19, 2015 was set and the deadline for mailing the Final Decision and Order was established as October 21, 2015. On October 9, 2015, Attorney for the Student requested that the October 19, 2015 hearing date be postponed and the mailing deadline be extended in order for the parties to engage in further settlement negotiations after mediation. November 6, 2015 was offered by the Attorney for the Student as an agreed upon replacement hearing date. The Board did not object to these requests. Pursuant to the authority granted to the Hearing Officer under R.C.S.A. § 10-76h-9 (e), the October 19, 2015 hearing date was postponed until November 6, 2015 and the request for a thirty day extension of the mailing deadline was granted resulting in a new mailing deadline of Friday, November 20, 2015. On November 6, 2015, the Attorney for the Student and the Attorney for the Board appeared for the first date of hearing. Attorney for the Student stated on the record that the parties had settled the matter and that Student was withdrawing the Special Education Due Process Hearing Request with prejudice.

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