

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Britain Board of Education

Appearing on behalf of Student:

Parent, Pro se

Appearing on behalf of Board:

Dr. Elizabeth Carabillo
New Britain Board of Education
272 Main Street
New Britain, CT 06050

Appearing Before:

Attorney Robert Skelley, Hearing Officer

FINAL DECISION AND ORDER

Issues:

1. Was the "STEP" program, provided to the Student for the 2011-2012 academic years, appropriate to meet the needs of the Student?
2. If not, what is the appropriate remedy?
3. Are the services and program proposed for the Student in the July 6, 2012, Individualized Education Plan for the 2012-2013 academic years, appropriate and provide the Student with a free and appropriate public education?

Procedural History:

This matter is before the Hearing Officer pursuant to a Request for Due Process Hearing filed by the Student on August 23, 2012, and received by the Board on the same date. A pre-hearing conference was held on September 14, 2012, due primarily to difficulty in scheduling between the parties. The parties indicated that they were looking to schedule a resolution meeting, as well as the Parent having already requested mediation. The issues enumerated above were identified by the parties. An initial hearing date of October 16, 2012 was set. A resolution meeting was held on September 17, 2012. On October 2, 2012, the Board copied the Hearing Officer on an email to the Parent that seemed to indicate that a resolution agreement was being finalized. On October 12, 2012, the Hearing Officer received an email from the Parent that she wished to withdraw the request for a due process hearing as a resolution agreement had been reached; a copy of the Resolution Agreement was subsequently sent to the Hearing Officer by the Board. A request for a more formal withdrawal from the Parent was made by the Hearing Officer, to which the Parent replied that she was attempting to email or fax a formal withdrawal letter but was not being successful. Based upon the representations made by the Parent in her October 12, 2012 email, as well as a subsequent email dated October 18, with an attached letter dated October 1, 2012 in which the Parent withdrew the complaint, this matter is dismissed with prejudice.

Final Decision and Order:

Pursuant to the request by the Parent to withdraw the request for due process, any pending motions not yet resolved are dismissed as moot and this matter is dismissed *with 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

Robert L. Skelley, Esq.

Hearing Officer Name in Print