

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 5 Board of Education

Appearing on behalf of the Student: Parents

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Individualized Education Program dated March 30, 2016 provide Student with a Free Appropriate Public Education?
2. If the March 30, 2016 IEP does not provide Student with a FAPE, does the Linda-Mood Bell program provide the Student with an appropriate program?

PROCEDURAL HISTORY AND SUMMARY:


On May 6, 2016, the Board received a request for a special education due process hearing filed by Parents. On May 9, 2016, the Connecticut State Department of Education appointed this Hearing Officer to preside over the hearing. During the prehearing conference held on May 24, 2016, hearing dates of June 30, 2016, July 8, 2016, July 12, 2016, and July 13, 2016 were set and the deadline for mailing the final decision and order was established as July 20, 2016. On June 16, 2016, Parents requested a postponement of the first scheduled date of hearing, June 30, 2016, in order to allow the parties to engage in mediation on that date. The District joined in this request. After a consideration of all of the relevant factors, this request was granted. The hearing was opened on July 8, 2016. On the second day of hearing, July 12, 2016, the Parents indicated that the matter had settled and withdrew their hearing request with prejudice on the record.

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