

October 17, 2013

Final Decision and Order 14-0036

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parents: Attorney Marisa Mascolo Halm
Center for Children's Advocacy
65 Elizabeth Street
Hartford, CT 06105

Appearing on behalf of the Board: Attorney Melinda Kaufmann
Assistant Corporation Counselor
City of Hartford
960 Main Street
Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to provide Student a Free Appropriate Public Education in the Least Restrictive Environment for the 2012-2013 academic year?
2. Did the Board fail to provide Student a Free Appropriate Public Education in the Least Restrictive Environment by not providing Extended School Year Services?
3. Does the program offered to Student for the 2013-2014 academic year provide Student with a Free Appropriate Public Education in the Least Restrictive Environment?
4. If the Board's program for the 2013-2014 school year is inappropriate, is an out-of-district placement at the Intensive Education Academy appropriate placement for Student?

PROCEDURAL HISTORY AND SUMMARY:

A Request for a Special Education Due Process Hearing was received by the Board on July 12, 2013. A prehearing conference was held on July 26, 2013 and the deadline for mailing the final decision and order was established as September 25, 2013 and three hearing dates in September were set. On September 19, 2013 Attorney for the Parent requested an extension of the deadline for the mailing of the final order and decision and a postponement of the first two of the hearing dates in September in order to finalize an agreement. These requests were granted and a new deadline of October 25, 2013 was established. A request for postponement of the third hearing date was made and granted on September 16, 2013 and new hearing dates of October 15, 2013 and October 16, 2013 were set. On October 11, 2013, the Attorney for the Parent withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.