

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 6 Board of Education

Appearing on behalf of the Student: Parents

Appearing on behalf of the Board: Attorney Christine L. Chinni
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 deny the Student a Free Appropriate Public Education in the Least Restrictive Environment by placing Student in a classroom on the second floor of the school building during the 2014-2015 school year?
2. Did the District commit a Procedural Violation of the Individuals with Disabilities Education Act in not holding a Resolution Conference with Parent within 15 days? If such a Procedural Violation occurred, did such Procedural Violation operate to deny the Student a Free Appropriate Public Education?

PROCEDURAL HISTORY AND SUMMARY:

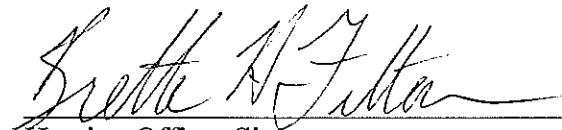
On October 16, 2014, the Region 6 Board of Education received a request for Special Education Due Process Hearing. During the prehearing conference held on November 3, 2014, the deadline for the mailing of the Final Decision and Order was established as December 30, 2014 and a hearing date of December 18, 2014 was set. During a second prehearing conference held on December 2, 2014, Attorney for the Board indicated that she would be filing a Motion to Dismiss on December 3, 2014. A deadline for the Parent to submit an amended Request for Due Process Hearing and/or an Objection to the Board's Motion to Dismiss was set for December 15, 2014. Attorney for the Board filed her Motion to Dismiss on December 4, 2014. The corresponding deadline for Parent's deadlines was moved to December 16, 2014. Parents filed an Objection to the Motion to Dismiss on December 15, 2014. On December 17, 2014, Parents withdrew their request for a Special Education Due Process Hearing, which rendered the Board's Motion to Dismiss Moot.

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