

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 9 Board of Education

Appearing on behalf of the Student: Parents, Pro Se

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses, Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District commit procedural violations of the Individuals with Disabilities Education Act during the 2014-2015 school year, and if so, did such violations operate to deny the Student a Free Appropriate Public Education?
2. Was the District's proposed program for the 2014-2015 school year appropriate, and if not, what is the appropriate program?
3. Is the District's proposed program for the 2015-2016 school year appropriate, and, if not, what is the appropriate program?

PROCEDURAL HISTORY AND SUMMARY:

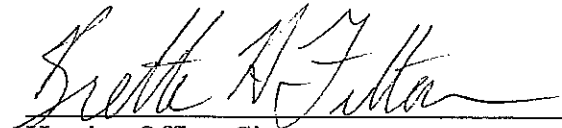
On May 4, 2015, the Board received a Special Education Due Process Hearing Request filed by Parents. The undersigned Hearing Officer was appointed on May 7, 2015. During the prehearing conference held on May 15, 2015, hearing dates of July 6, 2015, July 7, 2015, July 17, 2015 and July 20, 2015 were set and the deadline for mailing the Final Decision and Order was established as July 17, 2015. Parents subsequently filed a separate Special Education Due Process Request on June 5, 2015 to address an issue pertaining to the coming academic year. A second prehearing conference was held on June 12, 2015 by Hearing Officer Ho, who was assigned to the second Request filed by Parents. After consultation with the undersigned Hearing Officer, the cases were consolidated. As a result of a consolidation of two Special Education Due Process Hearing Requests the deadline for the filing of the Final Decision and Order of the second filed Request was deemed to control and thus, the deadline for the consolidated cases was established as August 19, 2015. On June 18, 2015, Parents sent a letter to the Hearing Officer indicating the matter had settled and that the Parents were withdrawing both Special Education Due Process Hearing Requests 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