

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. East Haven Board of Education

Appearing on behalf of the Parent: Pro Se

Appearing on behalf of the Board: Attorney Rebecca R. Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board for the 2016-2017 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Should the Student's program contain modifications of school work in order to receive FAPE in the LRE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified as Other Health Impaired ADD/ADHD and is entitled to receive FAPE as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2016-2017 school year and requested modifications to the program. The Board refused the Parents' request.

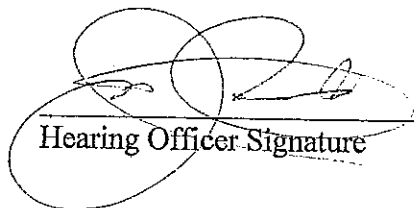
On November 30, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on November 30, 2016 and a pre-hearing conference was held on December 8, 2016. The parties agreed to go to mediation in place of a resolution meeting. In an electronic transmission, the Parents advised the hearing officer that they were withdrawing the matter. There was no objection by the Board. The withdrawal was granted. The date for the mailing of the Final Decision and Order is February 13, 2017.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT 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

Justino Rosado
Hearing Officer Name in Print