

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. CTHSS Board of Education

Appearing on behalf of the Student:	Parent
Appearing on behalf of the Board:	Attorney Christine Chinni Chinni and 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 err when it refused to permit Student to enroll in A.I. Prince Technical School on the basis of her disability?
2. Should Student's program be implemented in A.I. Prince Technical School?
3. Is Student entitled to compensatory education?

PROCEDURAL HISTORY AND SUMMARY:

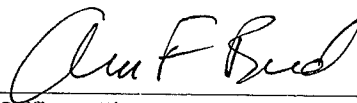
On October 25, 2016, the Board received a special education due process hearing request filed by Parent and the Connecticut State Department of Education appointed this Hearing Officer. During the prehearing conference held on December 9, 2016, a hearing date of January 27, 2017 was set and the deadline for mailing the Final Decision and order was established as January 6, 2017. The parties jointly requested an extension of the deadline in order to accommodate the parties engaging in mediation and to accommodate the agreed upon hearing date. This request was granted and resulted in a new hearing deadline of February 5, 2017. The parties were scheduled to participate in mediation on January 26, 2017. Both the mediation and the hearing date of January 27, 2017 were postponed at the request of Parent due to medical reasons. The Hearing Officer attempted to try to reach Parent to hold another prehearing conference on February 2, 2017 in order to reschedule the hearing. These efforts were unsuccessful. In order to provide the Parent with an opportunity to present her case, a new hearing date of February 17, 2017 was set and the deadline for the extension of the deadline for mailing the final extension and order was extended to March 4, 2017. A Notice of Hearing Date and Memorandum were sent to Parent on February 7, 2017. On February 17, 2017, the hearing was opened. The Attorney for the Board and Ms. Karen Zimmerman, a consultant employed by the Connecticut Technical High School System were present. Parent did not attend. The Hearing Officer attempted to reach Parent by phone on the record, but was not successful. Calls were also placed to the A-1 Prince Technical School to determine whether Parent had traveled there in error and it was determined that the school had no record of Parent arriving. Due to Parent's failure to appear at the hearing and present her case, the hearing request was dismissed on the record. However, given the reported medical reason for Parent's prior request to postpone the hearing date, and the inability to ascertain Parent's current status, the dismissal is without prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case 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

ANN F BIRD

Hearing Officer

Name in Print