

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Hartford Board of Education v. Student

Appearing on behalf of the Student: Attorney Richard Padykula
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Appearing on behalf of the Board: Attorney Julia Wilde
Assistant Corporation Counsel
City of Hartford
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Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Was the evaluation conducted by the Hartford Board of Education appropriate, thereby relieving the Board of the obligation to conduct an Independent Educational Evaluation at public expense?

PROCEDURAL HISTORY AND SUMMARY:

On March 13, 2017, the Parent received a request for a special education due process hearing filed by the Hartford Board of Education. On March 2, 2017, the Connecticut State Department of Education appointed the undersigned hearing officer to preside over the hearing. A prehearing conference was held on March 17, 2017 with Parent and the Attorney for the Hartford Board of Education. During the prehearing conference, April 18, 2017 was set as the initial hearing date and April 27, 2017 was established as the deadline for mailing the final decision and order. On March 22, 2017, Attorney for the Board requested a postponement of the April 18, 2017 hearing date and an extension of the mailing deadline in order for the parties to participate in mediation on that date. Both requests were granted and May 18, 2017 was set as the new hearing date and May 27, 2017 was established as the new deadline for mailing the final decision and order. The May 18, 2017 hearing date was subsequently postponed due to a conflict and replaced with a hearing date of June 9, 2017. On May 23, 2017, Parent hired an attorney. Parent's Attorney requested a postponement of the June 9, 2017 hearing date and an extension of the deadline for the mailing of the final decision and order in order to be able to prepare for the hearing. The Board did not object to these requests, which were granted on May 24, 2017. The revised mailing deadline was established as June 23, 2017. On June 7, 2017, Attorney for the Parents requested an extension of the mailing deadline and on June 9, 2017, the Board joined in this request. After a consideration of all of the relevant factors, the postponement request was

granted and resulted in a new deadline of July 21, 2017. On June 9, 2017, August 15, 2017 was set as the new hearing date.

On July 7, 2017, the Board and Parents submitted written requests to extend the timeline for filing the final decision in this case for thirty days in order to accommodate the agreed upon hearing date schedule. On July 10, 2017, these requests were granted and resulted in a new mailing deadline of August 18, 2017. On August 4, 2017, the Board withdrew its request for a special education due process hearing and the hearing date of August 15, 2017 was cancelled.

FINAL DECISION AND ORDER:

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