

FINAL DECISION

Sent via email	Certified Mail	
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December 18, 2025



RE: Final Decision

Dear

On **November 6**th, the proposed decision of the hearing officer regarding the eligibility of to receive services of the Department of Developmental Services was sent to you and all parties. Parties had ten (10) business days from receipt of the proposed decision to submit comments in support or opposition. Comments were not submitted by the petitioner. No comments were submitted on behalf of DDS.

After reviewing the proposed decision, the record, including exhibits submitted at the hearing, I agree with the hearing officer, adopt the Proposed Decision as the Final Decision, and find that is ineligible for services of the Department of Developmental Services pursuant to Connecticut General Statute section 1-1g.

If you do not agree with this decision, you have the right, in accordance with Section 4-183 of the Connecticut General Statutes, to appeal to the Superior Court. Such an appeal must be submitted within forty-five (45) days of the mailing of this final decision.

Jordan A. Schoff Commissioner

Enclosures

cc: Thomas C. McNeil Jr., Esq., Hearing Officer

Kathleen Murphy, Ph.D., Director, Eligibility Unit Margret Rudin, Ph.D., Psychologist Eligibility Unit

Marjorie O. Wakeman, Esq., Director, Legal & Government Affairs

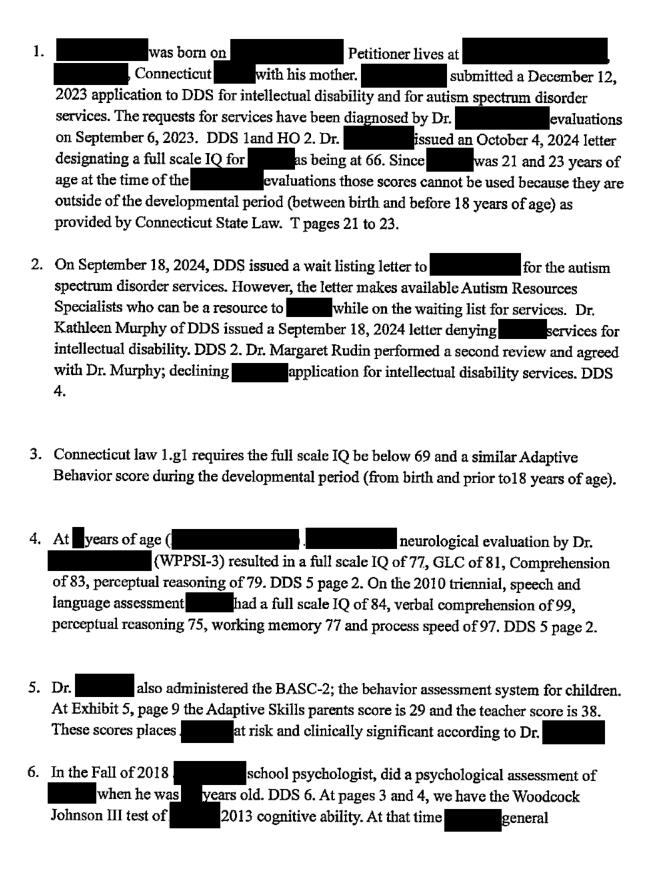
STATE OF CONNECTICUT DEPARTMENTOF DEVELOPMENTAL SERVICES PROPOSED MEMORANDUMOF DECISION ELIGIBILITY HEARING

IN RE:	
Introduction:	
the Department of Developmental S determine the eligibility of	ote hearing was held pursuant to hearing guideline issued by ervices, 460 Capital Avenue in Hartford, Connecticut to for services from the Department of Developmental icut General Statues §1-1g. The request for a hearing was the Petitioner's mother. HO 2, Transcript page 17.
Parties in Attendance:	
	Petitioner
	Mother Father Director Student Services, Schools Sharp Training, Vocational Transitions
Dr. Margaret Rudin	DDS Clinical Psychologist
Statement of Issue:	
Does meet the require eligible for offerings by Department	ments of Connecticut General Statutes §1-1g making him of Development Services?

Exhibits entered into to Evidence:

The sworn testimony of October 9, 2025 and the exhibits as attached hereto as Eligibility Hearing Exhibit List.

Finding of Facts:



intellectual ability was at 89, verbal at 94, visual spatial thinking of 89, fluid reasoning of 98, cognitive efficiency of 80, processing speed of 80, auditory processing of 114, and comprehensive knowledge of 94. T page 29 and 30. At page 5 we have the WAIS-4(Wechler Adult Intelligence Scale) with verbal comprehension of 80, perceptual reasoning 77, working memory 77, processing speed 74 and full IQ of 72.

- 7. 2018 Woodcock Johnson scores included fluid reasoning 78, number series 81, concept formation 79, oral vocabulary 82, verbal attention 86, story recall of 94, and visualization of 88. On page 8 we have the BASC-3 Adaptive Behavior report from both parent and teacher. The parent score was 46 and teacher scores was 57 both on a percentage basis is average. T page 36.
- 8. The IEPs for 2017 and 2018 reflect that achievement fall in the low average to average range. T page 38. DDS 6 and 7. The October 2019 IEP has map reading at the 10 percentiles. The October 2020 IEP shows English of 70 and Math of 81. DDS 10.
- 9. Mr. Schools. The covid years beginning in 2020 disrupted the school's ability to access

 T page 42-43. He was diagnosed with multiple disabilities-Autism and
 Intellectual disabilities. The meds prompting for most basic care needs such as hygiene, showering, teeth brushing, meal preparation and taking medications. T page 46.

 His parents commented. Given a task, will not act; instead you will get a blank stare. T page 50.
- 10. Let at years of age participated in the SHARP program in 2021 where he tried several job sites. They included McQuade's supermarket, Foxwoods Casino, Microtel and Chili's. Even with a job coach, let lack of response to job assignments was related to Autism and found not a good job match for him. T pages 31 to 33.

Definition of Intellectual Disability

Connecticut General Statutes define intellectual disability at §1-1g. Intellectual disability is defined as having an IQ test at 69 or below and with deficits in adaptive behaviors all at the same time and during the developmental period which is before age 18 years of age. T page 24. The Connecticut General Statute that applies here reads as follows:

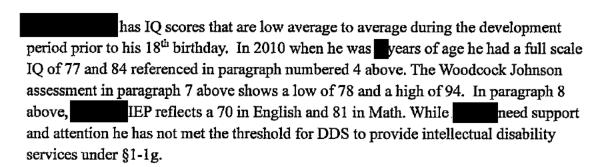
- (a) Except as otherwise provided by statute, "intellectual disability" means a significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before eighteen years of age.
- (b) As used in subsection (a) of this section, "significant limitation in intellectual functioning" means an intelligence quotient more than two standard deviations below the mean as measured by tests of general intellectual functioning that are individualized, standardized and clinically and culturally appropriate to the individual; and "adaptive behavior" means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized and clinically and culturally appropriate to the individual.

In Christopher v. Department of Mental Retardation (277 Conn. 594, Conn 2006) the Supreme Court ruled on a case involving I Q scores above and below the 69 defined as metal retardation or intellectual disability. The Court supports DDS consideration of multiple test and other considerations as it says:

Finally, we note that we do not question that the plaintiff has needs that could be served by the department and that even his 1997 WISC-III test indicates borderline intelligence. The legislature, however, delegated to the defendant a gatekeeping function through his authority to determine eligibility. In close cases like the present one, the defendant and the department's expert staff are better qualified than a court to evaluate conflicting evidence to determine whether that threshold has been met. Accordingly, we conclude that the defendant's decision was supported by substantial evidence in the record.

Christopher v. Department of Mental Retardation (277 Conn. 594, page 445 Conn 2006)

Discussion



Conclusion

Petitioner did not meet the burden necessary to overturn the DDS determination that Petitioner is not eligible for services as Intellectually Disabled under Connecticut General Statutes §1.1g.

Hearing Officer

Date

Thomas C. McNeill, Jr.

11-5-2025