

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

Appearing on behalf of the Parent: Surrogate Parent, pro se

Appearing on behalf of the Board: Attorney Michelle C. Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the Student's behavior on October 16, 2009 a manifestation of his disability?
2. Should the Student's disability be changed to emotional disturbance?
3. Did the Board fully implement the Student's behavior improvement plan?
4. Should the Board have acted on the Parent's request for a full psychological evaluation of the Student?
5. Is the Student receiving all services contained in his individualized education program?

PROCEDURAL HISTORY:

The Surrogate Parent requested this hearing on October 29, 2009 by faxing a letter to the State Department of Education. The Board received a copy of the request on that date. This Hearing Officer was assigned to the case on October 30, 2009. On November 3, 2009, the Board's attorney filed an appearance. A prehearing conference was held on November 9, 2009 with the Board's attorney and the Parent. An expedited hearing date was scheduled on the manifestation determination issue for November 19, 2009. A hearing on the other issues was scheduled for December 17, 2009. The mailing date for the final decision on the expedited issue was set at December 7, 2009. The mailing date for the final decision on the other issues was set at January 14, 2010. On November 13, 2009, the Parent sent a letter to the Hearing Officer stating that an agreement had been reached with the Board and that she was withdrawing the hearing request. On November 16, 2009, the Hearing Officer advised the parties that the hearing dates were canceled and that the case would be dismissed.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed.