

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Enfield Board of Education

Appearing on behalf of Student: Attorney David C. Shaw
Law Office of David C. Shaw, LLC
34 Jerome Avenue, Suite 210
Bloomfield, CT 06002

Appearing on behalf of the Board: Attorney Christine L. Chinni
Chinni & Meuser, LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via Letter dated October 12, 2010.¹ It was received by the Board of Education ("BOE") on October 12. The thirty-day resolution period ran through November 11 and the deadline for mailing the final decision and order is December 26.

A pre-hearing conference was held on October 28. Attorney Shaw appeared on behalf of Student and Attorney Chinni appeared on behalf of BOE. The following issues were identified:

1. Did BOE propose an appropriate program for Student for the 2009-10 school year?
2. Did BOE propose an appropriate program for Student for the 2010-11 school year?
3. Did BOE adequately address Student's transition needs?
4. Did BOE fully implement Student's IEPs?
5. Did BOE properly change Student's classification from intellectual disability to multiple disabilities?
6. Did BOE provide Student a free appropriate education in the least restrictive environment?
7. If the answer to any of the above issues one through six is in the negative, what shall be the remedy?
8. Did BOE fail to timely either provide a requested IEE or request a hearing regarding the appropriateness of its evaluation?

¹ All dates are 2010 unless otherwise indicated.

9. Did BOE violate the IDEA by failing to let Student speak at the January 20, 2009 PPT meeting?

10. If the answer to issues eight or nine above are in the affirmative, what shall be the remedy?

A hearing was scheduled for November 19. The parties participated in mediation on November 3. On that date, Student's Attorney informed the Hearing Officer that the mediation was not successful. On November 4, Student's Attorney withdrew the request for hearing without prejudice. BOE did not object to the case being dismissed without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.