

December 16, 2013

Final Decision and Order 14-0216

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Winchester Board of Education

Appearing on behalf of the Student: Parents

Appearing on behalf of the Board: Attorney Mark Sommaruga
Pullman and Connolly, LLC
90 State House Square
Hartford, CT 06103-3702

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board deny the Student a Free Appropriate Public Education ("FAPE") by:
 - a. incorrectly identifying Student's primary diagnosis; and/or
 - b. failing to develop and/or implement an appropriate Individualized Educational Program ("IEP") with necessary supports and services?
2. Did the Board commit procedural violations, including but not limited to, failing to complete IEP documents in a timely manner, failing to produce accurate IEP documents, and/or failing to produce fully completed IEP documents?

PROCEDURAL HISTORY AND SUMMARY:

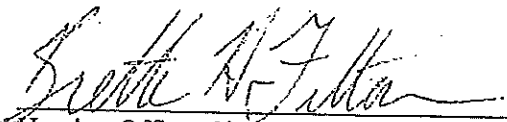
On October 17, 2013, the Winchester Board of Education received a Request for a Special Education Due Process Hearing and the undersigned hearing officer was appointed. On November 6, 2013, a prehearing conference was held, during which hearing dates were set and the deadline for mailing the final decision and order was established as December 31, 2013. On December 13, 2013, Counsel for the Parents withdrew the hearing request.

FINAL DECISION AND ORDER:

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

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

Brette H. Fitton
Hearing Officer Name in Print