

January 26, 2015

Case Number: 15-0224

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. CTHSS Board of Education

Appearing on behalf of the Student: Attorney Colin Milne
Office of Protection and Advocacy for
Persons with Disabilities
60 B Weston Street
Hartford, CT 06120

Appearing on behalf of the Board: Attorney Craig Meuser
Chinni & Meuser LLC
One Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Does the District's proposed program for the 2014-2015 school year, which would result in Student's removal from Vinal Technical High School and placement in a program within the District served by Student's hometown Local Education Agency, result in a failure to provide Student with a Free Appropriate Public Education in the Least Restrictive Environment?

PROCEDURAL HISTORY AND SUMMARY:

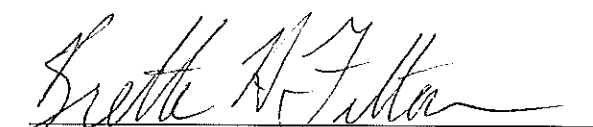
On November 7, 2014 the CTHSS Board of Education received a request for Special Education Due Process Hearing. During the prehearing conference held on November 26, 2014, hearing dates were set and the deadline for the mailing of the Final Decision and Order was established as January 21, 2015. During the prehearing conference the parties agreed to participate in mediation and to request an extension of the deadline for the mailing of the Final Decision and Order to provide the parties time to engage in settlement discussions. This request was granted and the revised deadline for the mailing of the Final Decision and Order was established as February 20, 2015. On January 2, 2015, Attorney for the Student and Attorney for the Board requested that the first scheduled hearing date of January 13, 2015 be postponed in order to permit the parties to engage in mediation on that date. This request was granted. On January 20, 2015, in advance of the next scheduled hearing date of January 23, 2015, Attorney for the Student 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