

August 28, 2015

Final Decision and Order: 16-0039

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Canton Board of Education

Appearing on behalf of the Student:

Parents

Appearing on behalf of the Board:

Attorney Michael P. McKeon
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103

Appearing before:

Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Does the District's program for the Student deny Student a Free Appropriate Public Education because district staff are not trained to provide services for severe apraxia of speech, dysarthria, and reverse tongue swallow?

PROCEDURAL HISTORY AND SUMMARY:

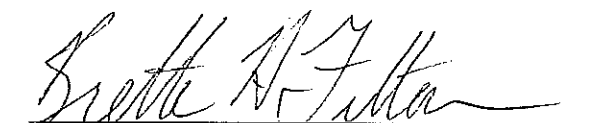
On July 21, 2015, the Canton Board of Education received Student's Special Education Due Process Hearing Request and the undersigned Hearing Officer was appointed. During the prehearing conference held on July 31, 2015, the deadline for mailing the Final Decision and Order was established as Friday, October 2, 2015 and a hearing date of September 2, 2015 was set. The parties participated in mediation on August 20, 2015 and were successful in reaching an agreement. On August 26, 2015, Parents sent an email to the Hearing Officer in which they withdrew their Special Education Due Process 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