

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

T.L. v. Newtown Board of Education

Appearing on behalf of the Parent:

Huang Ying
55 Sugar Street, #34
Newtown, CT 06470

Appearing on behalf of the Board:

Attorney Julie Fay
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06109-1313

Appearing before:

Laura Share, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program in the Student's IEP dated 9/26/2017?
2. Did the Board offer the least restrictive learning environment in the Student's IEP dated 9/26/2017?
3. If not, are the services listed below appropriate for the Student and should the Board be ordered to provide the Student with these services?
 - a. Behavioral Intervention Plan with frequently updated behavioral goals.
 - b. Pre-teach current (7th grade) materials to prepare the Student for language and vocabulary for upcoming classes.
 - c. Counseling as push-in; not pull-out sessions, to promote proper and effective communication with peers.

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on 10/6/17. The undersigned Hearing Officer was appointed on 10/10/17 and conducted a Prehearing Conference on 10/23/17. The hearing was initially scheduled for 12/18/17 and subsequently rescheduled for 1/17/18 and then rescheduled for 1/16/18.

On 1/11/17, the Parent filed a Motion to Amend wherein she requested a reading evaluation and appropriate reading program for Student. On 1/14/18, the undersigned denied Parent's Motion to Amend as it was untimely filed and would be unfair for Board. On 1/16/18, the undersigned heard oral argument on Board's Motion to Dismiss. The undersigned dismissed the issues without prejudice. Parent indicated that there is still an issue pertaining to Student's reading program. Although Student's reading program is not an issue in this

January 19, 2018

Final Decision and Order 18-0144

subject case, reading overlaps with the issues raised in this case, and it would be unfair to Parent to deprive her of raising issues pertinent to the reading issue that were discussed in the subject case if relevant in the future. Furthermore, Parent is pro se. For the foregoing reasons, the undersigned is dismissing this case without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without prejudice.