

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Newington Board of Education

Appearing on behalf of the Student: Attorney Marisa Mascolo Halm
Center for Children's Advocacy
65 Elizabeth Street
Hartford, CT 06015

Appearing on behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

The following issue was identified for determination at the hearing:

Was the Student's behavior a manifestation of his disability?

PROCEDURAL HISTORY:

The Student initiated this special education due process request for an Expedited Hearing on March 4, 2020. This Impartial Hearing Officer was assigned to the case on March 4, 2020. An evidentiary hearing was scheduled for March 26, 2020.

Beginning in early March 2020, the Governor of the State of Connecticut issued a series of executive orders that eventually closed all public schools through the end of the 2019/2020 School Year due to the COVID-19 pandemic.

The hearing scheduled for March 26, 2020 was cancelled due to difficulties associated with the COVID-19 pandemic. A new hearing date of April 7, 2020 was initially scheduled, but was also cancelled due to the school closure. The parties and the Hearing Officer convened a further prehearing conference on June 15, 2020 to schedule a hearing to take place via videoconference on July 15, 2020.

On June 23, 2020, the Student requested that the matter be withdrawn or dismissed.

FINAL DECISION AND ORDER: The Student's request is granted and the matter is dismissed.