

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Hartford Board of Education

Appearing on behalf of the Student:

Parent, *pro se*

Appearing on behalf of the Board:

Attorney Peter Maher
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny the Student a Free and Appropriate Public Education (“FAPE”) during the School Term of 2019-20 and 2020-21, and if so, is the Student entitled to appropriate compensatory services due to denial of FAPE as follows?
2. Is the District's proposed IEP for the 2020-2021 inappropriate and if so, is the Parent-proposed IEP (based on recommendations by highly-qualified experts who know Student well) appropriate?
3. Has the District committed IDEA procedural violations that resulted in a denial of FAPE in 2019 and/or 2020, including but not limited to the following:
 - a. Failure to devise an appropriate IEP based on Student's individual needs.
 - b. Failure to develop objective and measurable goals and objectives.
 - c. Failure to have a proper IEP ready to implement at the start of the school year.
 - d. Failure to include in the IEP present levels of educational functioning, goals that address educational needs, and strategies to evaluate progress.
 - e. Failure to ensure that Student had available to him a free appropriate public education that emphasizes special education and related services to meet his unique needs and to prepare him for further education, employment, and independent living.

PROCEDURAL BACKGROUND:

The Parent filed this Request for a Due Process Hearing on August 25, 2020. The Hearing Officer was assigned on September 4, 2020. A Prehearing Conference was scheduled and held on September 15, 2020 with Counsel for the Board and the Parent participating in the call. Counsel for the Board filed a Motion to Dismiss which was rendered moot by subsequent action. At the conference, the Parent stated she wanted to immediately withdraw the request for due process, but without prejudice to re-submit another request. Accordingly, the matter is dismissed without prejudice.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.