

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Avon Board of Education

Appearing on behalf of the Parents: Mother, pro se

Appearing on behalf of the Board: Attorney Craig S. Meuser
Chinni & Meuser, LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Was the Planning and Placement Team's ("PPT") decision on February 9 to change the Student's primary disability from autism to emotional disturbance based on a faulty psychiatric evaluation of the Student?
2. Did the District's psychiatrist employ the appropriate standards in conducting his evaluation of the Student?

PROCEDURAL HISTORY

The Parent faxed a letter to the State Department of Education ("SDE") requesting a due process hearing on February 16, 2010. The Board received a copy of the letter on February 17, 2010. This Hearing Officer was assigned to the case on February 18, 2010. On February 25, 2010, the Board's attorney filed an appearance. A prehearing conference was held on March 8, 2010 with the Board's attorney. The Parent did not answer her telephone. The Board's attorney reported that a resolution meeting was tentatively scheduled on March 17, 2010. Two hearing dates were scheduled for March 30, 2010 and April 12, 2010. The mailing date for the final decision was set at May 3, 2010. On March 25, 2010, the Parent faxed a letter to the Hearing Officer stating that the PPT agreed to change the Student's disability back to autism at the March 17, 2010 meeting and that she was "canceling the March 30, 2010 hearing." On March 26, 2010, the Hearing Officer notified the parties that the Parent's letter was being accepted as a withdrawal of the due process request, that both hearing dates were canceled and that a dismissal decision would be mailed to the parties by the SDE.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.