STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Naugatuck Board of Education

Appearing on behalf of the Parents: Attorney George Lawler
Lawler & Associates, P.C.
75 Berlin Road, Suite 111
Cromwell, CT 06416

Appearing on behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board violate Student's procedural safeguards, including but not limited to, failure to provide prior written notice, placement in an interim alternative educational setting without a PPT meeting and excusing Student from state and districtwide assessments?
2. Did the Board's program provide the student a Free Appropriate Public Education in the Least Restrictive Environment for the 2012-2013 school year?
3. Is the Board's program for the 2013-2014 school year appropriate?
4. Did the Board err when it decided that Student's conduct was not a manifestation of his disability?

PROCEDURAL HISTORY AND SUMMARY:

On May 20, 2013, the Naugatuck Board of Education received a Request for a Special Education Due Process Hearing. The undersigned hearing officer was appointed on May 20, 2013. On May 28, 2013, a prehearing conference with held with the Attorney for the Board and Parents. During this initial prehearing conference, parents indicated they were in the process of retaining counsel. The prehearing conference was suspended until such time as Attorney for the Parents could participate. On June 13, 2013, a prehearing conference was held with Attorney for the Parents and Attorney for the Board. During this second prehearing conference, the deadline for the mailing of the final decision and deadline was identified as August 2, 2013 and hearing dates were set. On July 16, 2013, the first scheduled hearing date, Counsel for the Parents withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.