

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Britain Board of Education

Appearing on behalf of the Parents: Attorney David W. Cooney
RisCassi & Davis, P.C.
131 Oak Street
Hartford, CT 06126

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

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the district fail to identify the student in violation of its obligations under the “Child Find” provision of the Individuals with Disabilities Education Act?
2. Did the District fail to provide the Student with a Free Appropriate Public Education (“FAPE”) for the portion of the 2012-2013 academic year beginning 6/25/2012?
3. Did the District fail to provide the Student with a FAPE for the Extended School Year in the Summer of 2013?
4. Did the District fail to provide the Student with a FAPE for the 2013-2014 academic year?
5. Did the District fail to provide the Student with a FAPE for the Extended School Year in the Summer of 2014?
6. Is the program proposed by the District for the 2014-2015 school year appropriate?
7. If the program proposed by the District for the 2014-2014 school year is not appropriate, what is the appropriate program?

PROCEDURAL HISTORY AND SUMMARY:

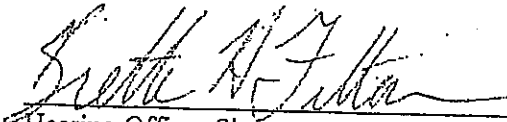
On June 25, 2014, the New Britain Board of Education received a Request for Special Education Due Process Hearing and the undersigned hearing officer was appointed. During the prehearing conference held on July 23, 2014, hearing dates were set and the deadline for mailing the Final Decision and Order was established as September 8, 2014. Attorney for the Student requested an extension of deadline in order to accommodate the hearing date schedule. This request was granted. The new deadline for the mailing of the Final Decision and order was established as October 8, 2014. On August 26, 2014, Attorney for the Student withdrew the hearing request.

FINAL DECISION AND ORDER:

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

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).


Hearing Officer Signature

Brette H. Fitton
Hearing Officer Name in Print