

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 19 Board of Education

Appearing on behalf of the Parents: Attorney Courtney Spencer
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Middletown, CT 06457

Appearing on behalf of the Board: Attorney Anne Littlefield
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One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny the Student a Free Appropriate Public Education (“FAPE”) for the portion of the 2013-2014 academic school year running from December 21, 2013 through June 2014 by committing substantive and procedural violations, including but not limited to:
 - a. failing to provide appropriate transitional planning for the Student;
 - b. denying Parents a meaningful opportunity to participate in the Individualized Education Program (“IEP”) process;
 - c. failing to provide appropriately licensed staff; and/or
 - d. failing to provide necessary technology, equipment, and augmentative communication devices?
2. Did the District deny student a FAPE by failing to provide appropriate Extended School Year services for the summer of 2014?
3. Is the District’s proposed IEP for the Student for the 2014-2015 academic year appropriate or would implementation of the proposed program result in a denial of a FAPE because of existing or prospective substantive and/or procedural violations, including but not limited to:
 - a. the proposed program does not contain appropriate transitional planning for the Student;
 - b. the parents were not given a meaningful opportunity to participate in the IEP process;
 - c. the program fails to provide for appropriately trained staff; and/or
 - d. the program fails to provide necessary technology, equipment, and augmentative communication devices to address Student’s needs?

PROCEDURAL HISTORY AND SUMMARY:

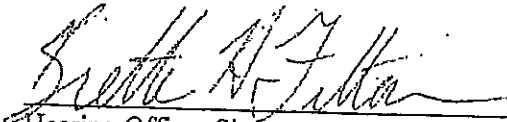
The Region 19 Board of Education received Parents' Request for a Special Education Due Process Hearing on July 23, 2014. During the prehearing conference held on August 18, 2014, the initial deadline for the mailing of the Final Decision and Order was established as October 6, 2014 and hearing dates were set. During the prehearing conference, Attorney for the Parents requested an extension of the deadline for the mailing of the Final Decision and Order in order to accommodate the hearing schedule. This request was granted and a new deadline for the mailing of the Final Decision and Order of November 5, 2014 was set. On October 14, 2014, Attorney for the Parents requested a postponement of the first two hearing dates scheduled to occur on October 21, 2014 and October 24, 2014 in order to permit the parties to finalize an agreement. The postponement request was granted and a new initial date of hearing was scheduled for October 27, 2014. On October 17, 2014, Counsel for the Parents 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