

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Torrington Board of Education

Appearing on behalf of the Parent: Christina Ghio, Esq.
The Law Office of Christina Ghio, LLC
PO Box 186
Cheshire, CT 06410

Appearing on behalf of the Board: Linda Yoder, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Hearing Officer have jurisdiction to decide Student's claims of violations of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Americans with Disabilities Act of 1990 (ADA)? If so, did the Board discriminate against Student in violation of Section 504 and the ADA?
2. Did the Board provide an appropriate program for the 2011-2012 school year?
3. Did the Board provide an appropriate program for the ESY 2012 and 2012-2013 school year and ESY 2013?
4. Did the Board evaluate the Student in all areas of disabilities?
5. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

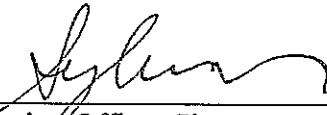
The Parent filed the Due Process Complaint and Request for Hearing on July 25, 2014. The Hearing Officer was appointed on July 28, 2014 and conducted a Prehearing Conference on August 12, 2014. The hearing was scheduled for October 2, 2014. On September 5, 2014, the parties jointly requested a postponement of the hearing date and an extension of the mailing date of the Final Decision to continue mediation and negotiation of the issues in dispute. The parties' request was granted and the hearing date was postponed to November 5 and the mailing date of the Final Decision was postponed to November 7, 2014. On November 3, 2014, the Parent's attorney reported to the Hearing Officer that the parties had settled their dispute and that the Parent was withdrawing the Due Process Complaint without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without prejudice.

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

Sylvia Ho
Hearing Officer Name in Print