

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Winchester Board of Education

Appearing on behalf of the Student: Attorney Christina Ghio  
The Law Office of Christina Ghio, LLC  
PO Box 186  
Cheshire, CT 06410

Appearing on behalf of the Board: Attorney Christine Chinni  
Chinni and Meuser, LLC  
One Darling Drive  
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide Student with an appropriate Individualized Education Program, ("IEP") or placement for the 2013-2014 school year?
2. Did the District fail to provide Student with an appropriate IEP or placement for the Extended School Year ("ESY") during the summer of 2014?
3. Did the District fail to provide Student with an appropriate IEP or placement for the 2014-2015 school year?
4. Did the District fail to propose an appropriate IEP or placement for Student for the ESY during the summer of 2015?
5. Did the District fail to propose an appropriate IEP or placement for Student for the 2015-2016 school year?
6. Did the District violate Student's procedural rights under the Individuals with Disabilities Education Act? If such violations occurred, did such violations result in a denial of a Free Appropriate Public Education to Student?

**PROCEDURAL HISTORY AND SUMMARY:**

The Board received Student's Special Education Due Process Hearing Request on June 17, 2015 and the undersigned Hearing Officer was appointed on June 18, 2015. During the prehearing conference held on June 23, 2015, the deadline for mailing the Final Decision and Order was established as August 31, 2015. Hearing dates of September 22, 2015 and September 23, 2015 were set through correspondence after the prehearing conference. On August 7, 2015, Attorney for the Student requested an extension of the deadline for the mailing of the Final Decision and Order in order to permit the parties to engage in settlement negotiations. This request was granted and resulted in a new deadline of September 30, 2015. On September 4, 2015, Attorney

September 15, 2015

Final Decision and Order 15-0547


for the Student sent a letter via email in which she indicated Student's request for a Special Education Due Process Hearing was being withdrawn with prejudice.

**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