

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parents: Attorney Giovanna Shay
Greater Hartford Legal Aid
999 Asylum Avenue, 3rd Floor
Hartford, CT 06105

Appearing on behalf of the Board: Attorney Craig Meuser
& Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Did the District err when the Planning and Placement Team (PPT) determined that the Student was not eligible for Special Education under the eligibility category of Emotional Disturbance at the Planning and Placement Team meeting on October 23, 2015?

PROCEDURAL HISTORY AND SUMMARY:

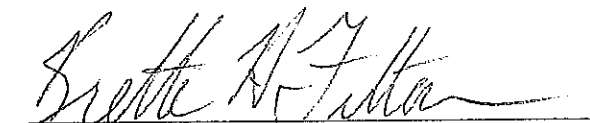
On November 11, 2015, the Board received a Special Education Due Process Hearing Request filed by Attorney for the Student. The Hearing Officer was appointed on November 12, 2015. During the prehearing conference held on December 3, 2015, hearing dates were set and the deadline for mailing the Final Decision and Order was established as January 22, 2016. December 23, 2015 was originally identified as a potential hearing date, contingent on availability of an expert witness. On December 8, 2015, Attorney for the Student indicated her expert witness was not available, and so February 8, 2016 was established as the day on which the hearing was to begin. Attorney for the Student requested an extension of the mailing deadline in order to accommodate the agreed upon hearing date schedule. After a consideration of all of the relevant factors this request was granted, resulting in a deadline of February 19, 2016. On February 8, 2016, Attorney for the Parent indicated that the parties had executed a settlement agreement and that the Special Education Due Process Request was being withdrawn.

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