

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Mansfield Board of Education

Appearing on behalf of the Parents: Mother pro se

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

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Student require a change in bus transportation and an aide on the bus in order to receive a free appropriate public education?
2. Is it permissible for the Board to require the Student to use the nurse's bathroom following a suspension for misconduct on the school bus?

PROCEDURAL HISTORY:

The Parent (Mother) faxed a form to the State Department of Education ("SDE") on January 11, 2010 requesting a due process hearing. The BOE received a copy of the request on that date. On January 15, 2010, the Board's attorney filed an appearance with the SDE. This Hearing Officer was assigned to the case on January 20, 2010. On January 28, 2010, the SDE advised the Hearing Officer that the parties may have settled the case by way of a resolution agreement. A prehearing conference was held on February 3, 2010. The Hearing Officer was unable to reach either the Parent or the Board's attorney and left messages with both. The Parent telephoned later and apologized for missing the call and stated that a hearing was not necessary. She said "things are working out" and she was not sure what she needed to do. On February 11, 2010, the Hearing Officer sent a letter to the parties advising that if the Parent did not wish to pursue the case, she needed to send a letter to the Hearing Officer withdrawing the hearing request. The case would then be dismissed and a decision would be mailed to them by the SDE. The Parent did not send a letter or any further communication to the Hearing Officer. The mailing date for the final decision is March 29, 2010.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed.