

DEPARTMENT OF EDUCATION

Student v. Enfield Board of Education

Appearing on Behalf of the Parent: Pro Se

Appearing on Behalf of the Board: Attorney Christine Chinni
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2009-2010 school year appropriate and did it provide the Student with a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) according to 20 U.S.C. §§ 1401 et seq?
2. Was the Student properly exited from special education and relate services?
3. Should the Board perform a comprehensive educational evaluation of the Student at the Board's expense?
4. Should the Board perform a feeding evaluation of the Student at the Board's expense?
5. Did the Board perform procedural violations that denied the Student FAPE?

FINAL DECISION AND ORDER**SUMMARY and PROCEDURAL HISTORY:**

The student is 6 years and 3 months old and has been previously identified with Developmental Delay and is not entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting the Parent rejected the exiting of the Student from special education and related services and requested that the Student continue receiving services as a student eligible to receive special education and related services. The Board denied the Parent's request and the Parent filed for due process.

On or about March 11, 2010 the Board received notice that the Parent requested due process. In lieu of a resolution meeting, mediation was held on June 15, 2010. An impartial hearing officer was appointed on March 11, 2010 and a pre-hearing conference was held on April 5, 2010. A hearing date of May 26, 2010 was chosen by the parties. In an electronic transmission the Parent informed the hearing officer that the matter was settled and it was being withdrawn with prejudice.

At the request of the parties, in order to accommodate the mailing of a final order and decision after the hearing dates, the date for the filing of the Final Decision and Order was extended. The date for the Final Decision and Order is July 15, 2010.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.