

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Hartford Board of Education

Appearing on behalf of the Parents: Attorney Jennifer Laviano
The Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to provide Student with a free appropriate public education in the least restrictive environment for the 2011-2012 and 2012-2013 school years by:
 - a. failing to provide a program with appropriate positive behavioral supports;
 - b. failing to conduct an appropriate functional behavioral assessment; and/or
 - c. failing to provide appropriate related services and extended school year services?
2. Did the Board commit violations of Parents' procedural rights, including but not limited to:
 - a. a failure to properly conduct a manifestation determination;
 - b. removal of Student from school through early dismissals and suspensions;
 - c. the predetermination of Student's placement at January 2013 and February 2013 PPT meetings;
 - d. failure to maintain a continuum of appropriate and alternative placements; and/or
 - e. failure of PPT to consider individual educational evaluation provided by Parents?

SUMMARY:

On March 4, 2013, the West Hartford Board of Education received a Request for a Special Education Due Process Hearing. The undersigned hearing officer was appointed on March 5, 2013. A prehearing conference was scheduled for March 28, 2013. On March 20, 2013, prior to date for the scheduled prehearing conference, Attorney for the Parents withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.