

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Student: Parents, Pro Se

Appearing on behalf of the Board: Attorney Andreana R. Bellach
Shipman & Goodwin LLP
300 Atlantic Street
Stamford, CT 06901-3522

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board commit procedural violations of the Individuals with Disabilities Education Act (“IDEA”), including but not limited to:
 - a. drafting an Individualized Education Program “IEP” that does not accurately reflect Student’s present levels of academic performance and achievement or need;
 - b. drafting an IEP that does not include meaningful and measurable annual goals;
 - c. drafting an IEP that does not address needs arising from Student’s diagnoses in addition to Student’s ADHD diagnosis;
 - d. failing to provide Parents with testing results that informed development of IEP presented at March 19, 2014 Planning and Placement Team (“PPT”) meeting;
 - e. failing to respond to Parents’ requests for regular and emergency PPT meetings;
 - f. failing to respond to Parents’ requests for information on services provided by the Special Education Teacher;
 - g. failing to complete a timely Assistive Technology evaluation;
 - h. conducting an Assistive Technology that was beyond the scope of consent given by Parents;
 - i. generating a Progress Report on Goals and Objectives to which the Parents had not agreed; and/or
 - j. modifying curriculum and/or academic requirements for Student without the agreement of the Parents at a PPT meeting?
2. If the Board committed a procedural violation, did such violation result in a denial of a Free Appropriate Public Education (“FAPE”)?
3. Did the Board deny the Parents a meaningful opportunity to participate in the process of developing Student’s IEP for the 2013-2014 school year?
4. Did the Board fail to provide the Student with services required under Student’s IEP for all or part of the 2013-2014 school year?
5. Did the Board predetermine the outcome of the March 19, 2014 PPT meeting?

PROCEDURAL HISTORY AND SUMMARY:

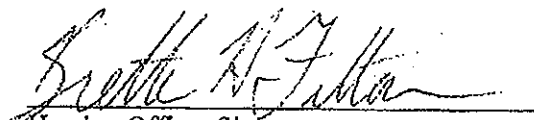
On April 11, 2014, the Wilton Board of Education received a Request for a Special Education Due Process Hearing. The undersigned Hearing Officer was appointed on April 8, 2014. Two prehearing telephone conferences were held in this case. The first telephone conference took place on April 23, 2014 and the second prehearing telephone conference on May 8, 2014. Hearing dates were set for May 23, 2014 and June 16, 2014. The original deadline for the mailing of the Final Decision and Order was established as June 25, 2014. An amended hearing request was filed by Parents on April 28, 2014, this filing restarted the deadline for the mailing of the Final Decision and Order. The revised deadline was July 12, 2014. On May 14, 2014, Parents withdrew the hearing request.

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