

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student East Hartford Board of Education

Appearing on behalf of the Surrogate Parent:

Attorney Kevin Coles  
Coles, Baldwin & Kaiser, LLC  
126 Post Road, 1<sup>st</sup> Fl.  
Fairfield, CT 06824

Appearing on behalf of the Board:

Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

Does the Student require one-on-one individual instruction in a Wilson Program?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Intellectual Disability and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Surrogate Parent rejected the discontinuance of the Wilson Program for the Student. The Surrogate Parent requested continuance of the Wilson Program. The Board refused the Surrogate Parent's request.

On December 8, 2014, the Board received notice of the Surrogate Parent's request for due process. The parties agreed to go to mediation in place of a resolution meeting. The mediation session was scheduled for December 18, 2014. An impartial hearing officer was appointed on December 8, 2014 and a pre-hearing conference was held on December 12, 2014.

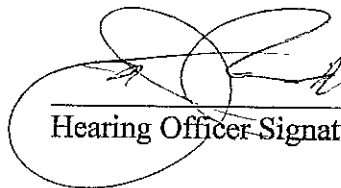
In an electronic transmission, the Surrogate Parent's attorney advised the hearing officer that the matter had been resolved and but required additional time to memorialize the agreement. In an electronic transmission, the Surrogate Parent's attorney advised the hearing officer that the agreement had been completed but not ratified and requested that the matter be withdrawn without prejudice. The Board did not object. The date for mailing the Final Decision and Order is February 21, 2015.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITHOUT PREJUDICE.**

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

Justino Rosado  
Hearing Officer Name in Print