

February 17, 2015

Final Decision and Order 15-0334

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wethersfield Board of Education

Appearing on behalf of the Student: Attorney Joel Rottner
4 Hillsboro Drive
West Hartford, CT 06107

Appearing on behalf of the Board: Attorney Linda Yoder
Shipman and Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Did the District err when it determined that Student's conduct was not a manifestation of his disability?

PROCEDURAL HISTORY AND SUMMARY:

On February 2, 2015, the Wethersfield Board of Education received Parents' request for an Expedited Special Education Due Process Hearing and the undersigned Hearing Officer was appointed on February 5, 2015. A prehearing conference was set for February 11, 2015. The deadline for the mailing of the Final Decision and Order was March 4, 2015. On February 6, 2015, before the scheduled prehearing conference, Attorney for the Parent withdrew the request for a Special Education Due Process Hearing.

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