

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student<sup>1</sup> v. CTHSS Board of Education

Appearing on behalf of Student: Attorney Thomas Cocco  
Cocco & Ginsberg LLC  
135 Elm Street  
Bridgeport, CT 06604

Appearing on behalf of the Board of Education: Attorney Christine L. Chinni  
Chinni & Meuser LLC  
One Darling Drive  
Avon, CT 06001

Appearing before: Janis C. Jerman  
Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by Student's Attorney via Request for Impartial Special Education Hearing dated July 14, 2015.<sup>2</sup> CTHSS Board of Education ("BOE") received it on July 15. The resolution period ended August 14 and the deadline to mail the final decision and order is October 2.

A telephonic pre-hearing conference was scheduled for August 10. Attorney Cocco appeared on behalf of Student; no one appeared on behalf of BOE. The Hearing Officer e-mailed BOE's Attorney, Chris Chinni, to remind her to call into the pre-hearing conference. BOE's Attorney did not call in during the 17 minutes that the Hearing Officer held the call open.

The Hearing Officer briefly identified the issues and the process to Student's Attorney and Student's Grandmother and Aunt who were on the phone. Student's Attorney indicated the family's desire to have the matter resolved prior to the start of the new school year and was informed about the option to request an expedited hearing. The following issues were identified for hearing:

1. Did the CTHSS Board of Education fail to conduct an appropriate planning and placement team meeting to develop or consider Student's Individualized Education Program for 2015-16?
2. Did the CTHSS Board of Education fail to provide Student with a free appropriate public education when it denied Student admission to Bullard Haven Technical High School?
3. If the answer to Issues One or Two above are in the positive, what shall be the remedy?

Hearing was scheduled for September 15. Via letter dated September 9, Student's Attorney indicated that Student's Parents decided to withdraw the request for due process.

**FINAL DECISION AND ORDER**

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

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<sup>1</sup> In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student", "Parents", "School" and titles of school staff members and certain other witnesses in place of names and other personally identifiable information.

<sup>2</sup> All dates are 2015 unless otherwise indicated.

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

JANIS C. JERMAN

Hearing Officer Name in Print