

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Hamden Board of Education and Student

Appearing on behalf of the Student: Attorney Erin Shaffer
New Haven Legal Assistance
426 State Street
New Haven, CT 06510

Appearing on behalf of the Board of Education: Attorney Marsha Moses
Berchem, Moses & Devlin PC
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the Student's misconduct a manifestation of his disability?
2. If so, should the Student's current placement be maintained?
3. Did the Board of Education provide the Student with appropriate procedural safeguards?
4. Does the Student require a Functional Behavior Assessment and/or a Behavior Intervention Plan?
5. Did the Board of Education offer the Student a free appropriate public education?
6. If not, what would characterize a free appropriate public education?

PROCEDURAL HISTORY:

The Student requested an expedited special education due process hearing on September 28, 2015. The Impartial Hearing Officer was assigned to the case on September 28, 2015. A prehearing conference was conducted on October 5, 2015. Attorney Erin Shaffer appeared for the Student and Attorney Marsha Moses appeared for the Board of Education. At that time, the parties reported that they had reached a tentative settlement of their dispute. They requested a few days to finalize the settlement.

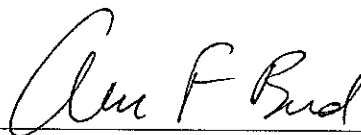
On October 15, 2015 the Student submitted a written request that the matter be dismissed with prejudice.

FINAL DECISION AND ORDER:

It is ordered that the request of the Student for dismissal is granted and this matter 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

ANN F BIRD

Hearing Officer Name in Print