

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wolcott Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
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98 Mill Plain Road, Suite 3B
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Appearing on behalf of the Board: Attorney Craig Meuser
Chinni & Meuser, LLC
100 Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Was the triennial evaluation of the Student appropriate, thereby relieving the District of the obligation to conduct the Independent Educational Evaluation requested by Parents at public expense?

PROCEDURAL HISTORY AND SUMMARY:

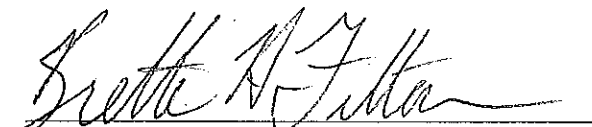
On May 31, 2016, the Parents received a request for a special education due process hearing filed by the Board. On May 18, 2016, the Connecticut State Department of Education appointed this Hearing Officer to preside over the hearing. During the prehearing conference held on June 17, 2016, hearing dates of August 26, 2016 and August 30, 2016 were set and the deadline for mailing the final decision and order was established as July 15, 2016. On July 8, 2016, the Board and Parents jointly requested a 30 day extension to allow the parties to participate in settlement discussions. This request was granted and resulted in a new mailing deadline of August 12, 2016. On August 1, the Board and Parents jointly requested an extension of the mailing deadline in order to accommodate the agreed upon hearing date schedule. This request was granted and the deadline was extended to September 9, 2016. On August 23, 2016, the Attorney for the Board sent an email to the Hearing Officer in which he indicated that the matter had settled and that the Board was withdrawing its request for a special education 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