

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Parent (Mother): Attorney Maria Morelli-Wolfe
Greater Hartford Legal Aid, Inc.
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Hartford, CT 06105

Appearing on behalf of the Board: Attorney Melinda B. Kaufmann
Assistant Corporation Counsel
City of Hartford
550 Main Street
Hartford, CT 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Should the Board have identified the Student as eligible for special education and related services under federal and state “child find” provisions prior to her referral for expulsion pending a hearing on May 11, 2009?
2. Should the Board have conducted an educational evaluation of the Student prior to making a “Family With Service Needs” referral to the Juvenile Court on February 17, 2009 for truancy?
3. Should the Board have made a referral of the Student to a Planning and Placement Team as mandated by Regs. of Conn. State Agencies, Section 10-76d-7 for “children who have been suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory or at a marginal level of acceptance”?
4. Should the Board be required to place the Student in an alternative, smaller setting for diagnostic purposes for the remainder of the 2008-2009 school year and conduct expedited evaluations of her eligibility for special education and related services?

PROCEDURAL HISTORY:

The Parent's attorney requested this expedited hearing by faxing and mailing a letter dated May 8, 2009 to the State Department of Education ("SDE"). The Board of Education received a copy of the letter on May 8, 2009. This Hearing Officer was assigned to the case on May 18, 2009. A prehearing conference was scheduled for May 27, 2009. At the request of the attorneys, it was rescheduled for May 28, 2009. On May 26, 2009, the Parent's attorney notified the Hearing Officer that all issues had been resolved by agreement that day and that the hearing request was withdrawn. The mailing date for the final decision is June 22, 2009.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed.