

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Enfield Board of Education v. Student

Appearing on behalf of the Parent: Attorney Penelope Petzold
SpEdConnecticut, Inc.
75 Charter Oak Avenue, Suite 1-105
Hartford, CT 06106

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

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the Functional Behavioral Assessment (FBA) performed by the District appropriate?
2. If so, is the Student entitled to an FBA at public expense?

SUMMARY AND PROCEDURAL HISTORY:

The Student is entitled to receive a free and appropriate public education in the least restrictive environment as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parent did not agree with the FBA provided by the District. The Parent requested an Independent Educational Evaluation at public expense. The Board refused the Parent's request. An impartial hearing officer was appointed on July 6, 2017, and a pre-hearing conference was held on July 14, 2017. A September 12, 2017 hearing date was chosen by the parties if the matter was not resolved in mediation.

In an electronic transmission, the parties advised the hearing officer that the matter was resolved and withdrawn with prejudice. The mailing date for the Final Decision and Order is was extended to accommodate the mediation and the hearing date. The mailing date for the Final Decision and Order is August 18, 2017.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.