

July 12, 2018

Final Decision and Order 18-0435

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

Appearing for the Parents:

Pro Se

Appearing on behalf of the Board:

Attorney Julie Fay
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before:

Kelly Moyher, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the IEP dated April 6, 2018 provide the Student with FAPE? If not, what is the remedy?
2. Should the Board be required to conduct a reading evaluation and psychoeducational evaluation of the student at this time?
3. Should the Board conduct a Functional Behavioral Assessment (“FBA”) of the Student?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on May 1, 2018. The Hearing Officer was appointed on May 4, 2018. Several Prehearing Conferences were scheduled to discuss the issues. At a Prehearing Conference on May 22, 2018, the issues were discussed, a hearing date was proposed and the parties expressed their agreement to negotiate the matter. The Hearing Officer was also made aware of Motion to Amend the Parent’s complaint. The Board responded to the Motion, addressing several issues and making Motions to Dismiss. The Hearing Officer was contacted on June 28, 2018 via email and made aware that a Mediation had taken place that day. The parties expressed their desire to go forward with a due process hearing. The following day, June 29, 2018, the Hearing Officer was contacted by the Parent via email with her request to withdraw her due process complaint.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without prejudice.