

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 5 Board of Education

Appearing on behalf of the Parent: Parent

Appearing on behalf of the Board: Christine Sullivan
Berchem Moses PC
75 Broad Street
Milford, CT 06460

Appearing before: Uswah A.S. Khan, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided by the District for the 2016-2017, 2017-2018 school years appropriate and did it provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Is the program offered by the District for the 2018-2019 school year appropriate and does it provide a FAPE in the LRE?
 - If not;
 - i Does the Student require an out of district placement to receive FAPE?
 - ii Did the District impede the Parent from participating in the Student's PPT?
 - iii Does the Student require an extended school year (ESY) to receive FAPE?

PROCEDURAL HISTORY:

The Student initiated this special education due process case on June 4, 2018. This Impartial Hearing Officer was assigned to the case on June 14, 2018, after Hearing Officer Rosado recused himself from the case. A Prehearing Conference was convened on June 21, 2018. The Mother appeared on behalf of the Student and Attorney Christine Sullivan appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case was August 17, 2018. The Parent and Board exchanged exhibits and a witness list in a timely fashion. Motions were filed. Hearing dates were scheduled for July 30, 31, and August 7, 2018. The hearing commenced on July 30, at which time the parties jointly requested a cancellation of the July 31st hearing date. The

hearing resumed on August 7, 2018, at which time the parties reported they were working on a settlement and the Board made an oral motion to extend the mailing date. A new mailing date of September 17, 2018 was set. A hearing date of September 5, 2018 was set. The Parent on August 21, 2018, notified the Hearing Officer that the case was being withdrawn with prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.