

June 12, 2018

Final Decision and Order 18-0452

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Manchester Board of Education

Appearing on behalf of the Student:

Parent, pro se

Appearing on behalf of the Board:

Attorney Alyce Alfano
Shipman & Goodwin, LL
One Constitution Plaza
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the District has been and is now denying Student a Free and Appropriate Public Education (“FAPE”) by placing him in a class with others where his needs were not addressed.
2. Whether Student is being denied FAPE due to the Parents not being provided with information and notice of meetings and actions by the District.
3. Should Student be placed out of district due to his needs not being adequately addressed or met by the District?

PROCEDURAL BACKGROUND:

The Student, by the Parents, filed this Request for Due Process Hearing on May 7, 2018. The Hearing Officer was assigned on May 10, 2018, and a Prehearing Conference was scheduled and attempted on May 15, 2018. The Attorney for the Board appeared at the conference. The Parents declined to appear at the conference but indicated they did want to engage in mediation. Counsel for the Board agreed, and the parties are in mediation. Subsequently, one of the Parents stated she wished to retain counsel before scheduling any hearing dates, but to date no appearance has been filed on the Parents' behalf. A due process hearing in this case would be premature. Unless resolved by mediation, a new case can be filed when the issues are ready for adjudication.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.