

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education and Capital Region Educational Council

Appearing on behalf of the Student:

Marisa Mascolo Halm, Esq.  
Center for Children's Advocacy  
65 Elizabeth Street  
Hartford, CT 06105

Appearing on behalf of the Hartford District:

Julia Wilde, Esq.  
Assistant Corporate Counsel  
550 Main Street  
Hartford, CT 06103

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District violate "Child Find" by not identifying the Student as requiring special education and related services as defined in the Individual with Disabilities Improvement Act (IDEA)? If so;
2. Should the District's expulsion of the Student be rescinded because of the District's violation of "Child Find"? If so;
3. Is the Student entitled to compensatory education for the violation of child find and not providing the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student is not entitled to receive a free and appropriate public education in the least restrictive environment as defined in the Individuals with Disabilities Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

The Student is over the age of eighteen. The Student's attorney requested that the Student be identified as requiring special education and related services as defined in the IDEA. The District refused the request.

The District received notice of the Student's request for due process on November 9, 2017. The parties agreed to mediate the matter in lieu of a resolution meeting.

An impartial hearing officer was appointed on November 9, 2017, and a pre-hearing conference was held on November 14, 2017. A hearing date of February 1, 2018 was chosen by the parties.

In an electronic transmission, the Student's attorney informed the hearing officer that the matter was resolved and it was being withdrawn with prejudice.

The mailing date of the Final Decision and Order was extended to accommodate the hearing date and the mediation of the matter. The mailing date for the Final Decision and Order is February 22, 2018.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**