

December 8, 2017

Final Decision and Order Case No. 18-0210 **EXPEDITED**

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

Appearing on behalf of the Parent: Attorney Nhi Tran
New Haven Legal Assistance Association, Inc.
426 State Street
New Haven, CT 06510

Appearing on behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Raymond J. Rigat
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the district err in determining that the student's conduct was not a manifestation of the child's disabilities?
2. Did the district err in focusing only on the student's behaviors at his most recent school, and not on his entire history?
3. Did the district err in focusing on only the student's behaviors in the school setting, and by not giving appropriate weight to the clinician's report of student's deteriorating behaviors in the community?

PROCEDURAL HISTORY/SUMMARY:

The Guardian brought the Due Process Complaint and Hearing Request on November 17, 2017. The Hearing Officer was appointed on that same day, and wrote the parties scheduling a Prehearing Conference. A Prehearing conference was held on December 1, 2017, and a hearing was scheduled for December 6, 2017.

On December 5, 2017, the Guardian's attorney informed the Hearing Officer that the Guardian, pursuant to a settlement agreement, was withdrawing her Due Process Complaint and Request (expedited) with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**