

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Region 13 Board of Education

Appearing on behalf of the Student: Attorney Piper Paul  
Law Office of Piper Paul, LLC  
PO Box 126  
Westport, CT 06881

Appearing on behalf of the Board: Attorney Susan Freedman  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide Student with a Free Appropriate Public Education (“FAPE”) for 2013-2014 school year?
2. Did the District fail to provide Student with a FAPE for the Extended School Year (“ESY”) during the summer of 2014?
3. Did the District fail to provide Student with a FAPE for 2014-2015 school year?
4. Did the District fail to provide Student with a FAPE for the ESY during the summer of 2015?
5. Did the program proposed by the Board for the 2015-2016 school year provide a FAPE in the Least Restrictive Environment, and if not, does Franklin Academy provide an appropriate program for Student?
6. Does Student require a therapeutic day placement?

**PROCEDURAL HISTORY AND SUMMARY:**

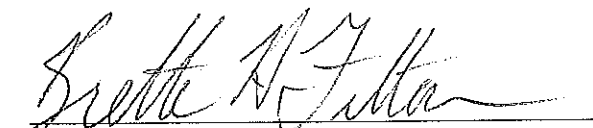
On July 27, 2015, the Board received a request for a Special Education Due Process Hearing filed by Student and the undersigned Hearing Officer was appointed. At the prehearing conference held on August 3, 2015, hearing dates of October 13, 2015, October 21, 2015 and October 28, 2015 were set and the deadline for mailing the Final Decision and Order was established as October 9, 2015. The parties engaged in mediation on August 31, 2015 which resulted in a settlement. On September 8, 2015, the Attorney for the Student withdrew Student’s request for a Special Education Due Process Hearing.

**FINAL DECISION AND ORDER:**

In light of the above facts, the case is dismissed.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).

  
Hearing Officer Signature

Brette H. Fitton  
Hearing Officer      Name in Print