

June 9, 2015

Final Decision and Order 15-0430

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Region 6 Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer  
Law Office of Courtney Spencer, LLC  
100 Riverview Center, Suite 120  
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Christine Chinni  
Chinni & Meuser, LLC  
One Darling Drive  
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District deny Student a Free Appropriate Public Education (“FAPE”) for the portion of the 2013-2014 academic year, beginning May 8, 2014 through the end of the academic year?
2. Did the District deny Student a FAPE for the Extended School Year (“ESY”) during the summer of 2014?
3. Did the District deny Student a Free Appropriate Public Education (“FAPE”) for the 2014-2015 academic year?
4. If Student’s program and placement for the 2014-2015 academic year is not appropriate, what is the appropriate program and placement?

**PROCEDURAL HISTORY AND SUMMARY:**

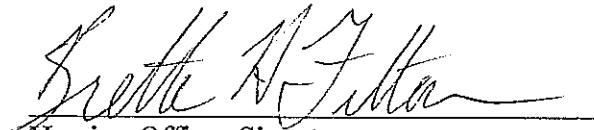
On March 30, 2015, the Region 6 Board of Education received Student’s Request for a Special Education Due Process Hearing and the undersigned Hearing Officer was appointed. During the prehearing conference held on April 6, 2015, hearing dates of May 15, 2015 and June 4, 2015 were selected and the deadline for the mailing of the Final Decision and Order was established as Friday, June 12, 2015. Subsequent correspondence between the parties and the Hearing Officer revealed that there was a conflict on the June 4, 2015 date and June 8, 2015 was selected as a replacement. On April 22, 2015, Counsel for the Student requested a postponement of the May 15, 2015 hearing date in order to allow the parties to engage in mediation on that date. The Board joined in this request. After a consideration of all of the relevant factors the request for postponement of the hearing date was granted. On June 4, 2015, Counsel for the Student sent an email to the Hearing Officer indicating the matter had settled and Parents were withdrawing their hearing request.

**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