

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Newtown Board of Education

Appearing on behalf of the Student: Parent, *Pro Se*

Appearing on behalf of the Board of Education: Attorney Julie Fay
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, Ct 06103-1919

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the Student a Free Appropriate Public Education from June 2, 2016 forward?
 - (a) If not, is the Oxford Academy appropriate?
 - (b) If the Oxford Academy is appropriate, should the Student be placed there and/or be reimbursed for the expense of the Oxford Academy?
2. If the Board of Education did not offer the Student a Free Appropriate Public Education, is the Student entitled to compensatory education services?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on October 7, 2016. This Impartial Hearing Officer was appointed to hear the case on October 11, 2016. A telephonic pre-hearing conference was convened on October 21, 2016. The Student's Mother appeared on behalf of the Student and Attorney Julie Fay appeared on behalf of the Board of Education. It was agreed that the deadline for issuing the final decision was December 19, 2016. An evidentiary hearing was scheduled for December 13, 2016.

On November 29, 2016, the Board reported that the parties had participated in mediation and requested that the hearing be postponed in order to allow the parties time to further discuss settlement. The Student supported these requests and the hearing was cancelled.

On December 13, 2016, the Student requested that the deadline for filing the final decision be extended in order to accommodate a second mediation session that the parties scheduled for January 31, 2017. The Board of Education supported this request. The purpose of the requested postponement and extension was to allow the parties a further opportunity for mediation. The request was granted.

On December 19, 2016, the Student requested that the deadline for filing the final decision be again extended. The Board of Education supported the request and it was granted.

On January 31, 2017, the parties reported that their continued mediation had been cancelled due to a snowstorm, but that they intended to reschedule the mediation promptly. On February 15, 2017, the parties reported that their continued mediation was scheduled for February 16, 2017. The Student also requested that the deadline be extended again to accommodate the rescheduled mediation date. The Board of Education consented to the request and it was granted.

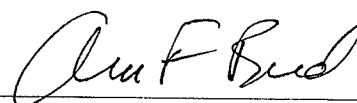
On February 20, 2017, the Student requested that the matter be withdrawn or dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Student's request is granted and the matter 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

ANN F BIRD

Hearing Officer Name in Print