

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Southington Board of Education¹

Appearing on behalf of Student:

Attorney Courtney Spencer
Law Office of Courtney Spencer LLC
100 Riverview Center Suite 120
Middletown, CT 06457

Appearing on behalf of the Board of Education:

Attorney Craig Meuser
Chinni & Meuser LLC
One Darling Drive
Avon, CT 06001

Appearing before:

Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via letter dated June 13, 2017.² It was received by Board of Education (BOE) on June 14. The resolution period ended July 14 and the original deadline to mail the final decision and order was August 28. A telephonic pre-hearing conference was held on July 5. Attorney Spencer appeared on behalf of Student and Attorney Meuser appeared on behalf of BOE. The following issues were identified:

ISSUES:

1. Did the Board of Education offer Student a free appropriate public education for the 2017-18 school year?
2. If the answer to Issue One is in the negative, is placement of Student at Ben Bronz Academy appropriate?
3. If the answer to Issue Two is in the positive, should Student be placed at Ben Bronz Academy;
4. Is the Board of Education required to reimburse Student's Parents for tuition at Ben Bronz Academy?

The parties agreed to participate in mediation on August 16. On July 26, Student's Attorney requested an extension of the mailing date to accommodate mediation. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until September 27. On July 31, Student's Attorney requested an extension of the mailing date to allow a hearing to be scheduled for September 28. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until October 27. On September 1, Student's Attorney indicated in writing that the parties had executed a settlement agreement and that Student's Parents withdraw their request for due process hearing with prejudice.

FINAL DECISION AND ORDER

Based on the above facts, the case is dismissed with prejudice.

¹ In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student," "Parents," and titles of certain school staff members and witnesses in place of names and other personally-identifiable information.

² All dates are 2017 unless otherwise indicated.