

October 31, 2018

Final Decision and Order 19-0082

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Cheshire Board of Education

Appearing on behalf of the Parent: 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 Sullivan
Berchem Moses, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Raymond J. Rigat, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board offered the Student FAPE for the 2016-17, 2017-18, 2018-19 school years, (including the 2017 and 2018 extended school years)?
2. If not, was residential placement at Franklin School for the 2016-17, 2017-18 school years appropriate, and should the Board be ordered to reimburse the Parents for this placement?
3. Should the Board be ordered to place the Student in a residential program for the 2018-19 school year?
4. Is the Student entitled to compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent brought the Due Process Complaint and Hearing Request on August 8, 2018. The Hearing Officer was appointed on August 9, 2018. A Prehearing Telephone Conference took place on August 24, 2018. Following that conference, an initial hearing was scheduled for October 17, 2018.

On September 28, 2018, the Parent requested an extension of the mailing date. The Board did not object. The Hearing Officer granted the extension request until November 21, 2018, and continued the hearing until November 8, 2018.

On October 30, 2018, the Parents notified the Hearing officer that the parties executed a settlement agreement, and that the Parents were withdrawing the matter with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**