

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Glastonbury Board of Education

Appearing on behalf of the Parent: Courtney Spencer, Esq.
Law Office of Courtney Spencer, LLC
100 Riverview Center, #120
Middletown, CT 06457

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

Appearing before: Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to provide FAPE to the Student for the 2017-18 school year, including the 2018 ESY, by failing to offer him an appropriate program?
2. Did the District fail to provide FAPE to the Student for the 2018-19 school year, including the 2019 ESY, by failing to offer him an appropriate program?
3. Did the District fail to provide FAPE to the Student for the 2019-20 school year by failing to offer him an appropriate program?
4. If the District failed to provide the Student with FAPE, is Thames at Mitchell College an appropriate placement for the Student?
5. If the District has failed to provide FAPE and Thames is an appropriate program, should the District be ordered to place the Student at Thames for the 2019-20 school year?
6. If the District has failed to provide FAPE, should compensatory education be ordered?

SUMMARY AND PROCEDURAL HISTORY:

Case 20-0022 was commenced by the Parents by request received by the Board on July 11, 2019. A prehearing conference was held on July 25, 2019. At the prehearing conference, a hearing date was set for September 26, 2019 and the decision date was determined to be September 24, 2019. The hearing was later cancelled and the decision date extended to October 24, 2019.

On September 24, 2019, the undersigned hearing officer was advised by the Parents that the matter was being withdrawn and should therefore be dismissed without prejudice. Subsequently, the undersigned received emails from both parties stating that it was actually their intention that the matter be dismissed with prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.