

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent: Courtney P. Spencer, Esq.  
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West Hartford, CT 06110

Appearing on behalf of the Board: Susan C. Freedman, Esq.  
Shipman & Goodwin, LLP  
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Hartford, CT 06103-1919

Appearing before: Mary H.B. Gelfman, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Are the Individualized Education Plan (IEP) and placement offered by the Board for the 2008-2009 school year appropriate to the Student's special education needs in the least restrictive environment?
2. If not, is a residential placement including escort services appropriate to the Student's special education needs?
3. Is an extended year program necessary for the summer of 2008?
4. If residential placement is appropriate, is the Board responsible for funding such placement?

**PROCEDURAL HISTORY:**

This hearing was requested on July 7, 2008 and the Hearing Officer was appointed on July 8, 2008. At a pre-hearing conference held on August 13, 2008, the Parents' attorney reported that although the parties had agreed to request state mediation of their differences, a mediator had not yet been appointed and a mediation date had not yet been set. Therefore, Parents were withdrawing their request for hearing, and would re-file if mediation was unsuccessful. Written confirmation that the request for hearing was withdrawn was sent by the Parents' attorney on August 19, 2008, and received by the

Hearing Officer on August 26, 2008. A decision would have been due on September 20, 2008.

**CONCLUSIONS OF LAW:**

Section 10-76h, Connecticut General Statutes (C.G.S.), and related regulations at Section 10-76h, Regulations of Connecticut State Agencies, authorize an impartial hearing officer to conduct a special education hearing and to render a final decision in accordance with Sections 4-176e through 4-180a, inclusive, and Sections 4-181a of the C.G.S. Section 20 U.S.C. § 1415(f) and related regulations at 34 C.F.R. § 300.511 through § 300.520 also authorize special education hearings.

**FINAL DECISION AND ORDER:**

Since the request for hearing has been withdrawn, this matter is DISMISSED without prejudice.