

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Pomfret Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer
The Law Office of Courtney Spencer, LLC
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Middletown, CT 06457

Appearing on behalf of the Board: Attorney Rebecca Santiago
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District propose an appropriate individualized education program (“IEP”) for the extended school year (“ESY”) in the summer of 2017?
2. Did the District propose an appropriate IEP for the 2017-2018 school year?
3. If the IEP for the ESY in the summer of 2017 and/or the IEP for the 2017-2018 school year was not appropriate, is the residential placement at the Franklin Academy an appropriate program for Student and should the Board be ordered to place Student at the Franklin Academy for the 2017-2018 school year and refund any tuition paid by Parents to the Franklin Academy?

PROCEDURAL HISTORY AND SUMMARY:

On June 21, 2017, the Board received a special education due process hearing request filed by Attorney for the Parents. The Connecticut State Department of Education appointed the undersigned Hearing Officer to preside over this case on June 28, 2017. Based upon the June 21, 2017 date of receipt, the deadline for mailing the final decision and order is September 1, 2017. A prehearing conference was scheduled for July 7, 2017. On July 6, 2017, the Attorney for Parents withdrew Parents’ request for a special education due process hearing with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.