

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. South Windsor Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer  
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Middletown, CT 06457

Appearing on behalf of the Board: Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide Student with a free appropriate public education (“FAPE”) for the 2015-2016 school year?
2. Did the District fail to provide Student with a FAPE for the extended school year (“ESY”) in the summer of 2016?
3. Did the District fail to provide Student with a FAPE for the 2016-2017 school year?
4. Did the District fail to provide Student with a FAPE for the ESY in the summer of 2017?
5. Did the Board offer an appropriate individualized education program (“IEP”) for the 2017-2018 school year?
6. If the Board failed to offer an appropriate IEP for 2017-2018, does Franklin Academy offer an appropriate program and should the District be ordered to place Student residentially at Franklin Academy for the 2017-2018 school year?
7. Is the Student entitled to compensatory education?

**PROCEDURAL HISTORY AND SUMMARY:** On August 8, 2017, the Board received a Special Education Due Process Hearing Request filed by Student. The undersigned Hearing Officer was appointed on August 17, 2017. During the prehearing conference held on August 30, 2017, the deadline for mailing the final decision and order was established as October 20, 2017 and the parties indicated that the matter had settled and the parties anticipated a withdrawal would occur by September 8, 2017. On September 8, 2017, Attorney for the Parents notified the Hearing Officer that the parties had not yet finalized the terms of their agreement. October 16, 2017 was set as the first hearing date. On October 12, 2017, Attorney for the Parents withdrew the Parents’ hearing request with prejudice.

**FINAL DECISION AND ORDER:** In light of the above facts, the case is dismissed.