

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Student: Attorney Ellyn Polishook-Ulfsson
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Redding, CT 06896

Appearing on behalf of the Board: Attorney Christopher Tracey
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Stamford, CT 06901

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District violate Student's procedural safeguards under the Individuals with Disabilities Education Act ("IDEA") during the 2016-2017 and 2017-2018 academic years? If the District violated Student's procedural safeguards, did such violations operate to deny Student a free appropriate public education ("FAPE")?
2. Was the District's Individualized Education Program ("IEP") for the 2016-2017 school year appropriate?
3. Was the District's IEP for the 2017-2018 school year appropriate? If the District's IEP for 2017-2018 school year was not appropriate, does The Speech Academy provide Student with an appropriate program, thereby entitling Parents to reimbursement for the cost incurred by Parents' unilateral placement of Student there?
4. Is the Student entitled to compensatory education?

PROCEDURAL HISTORY AND SUMMARY: On October 11, 2017, the Weston Board of Education received a special education due process hearing request filed by the Parents. The undersigned Hearing Officer was appointed on October 12, 2017. During the prehearing conference held on October 20, 2017, the deadline for mailing the final decision and order was established as December 22, 2017 and hearing dates of December 4, 2017 and December 6, 2017 were set. On November 30, 2017, Attorney for the Parents withdrew the request for a special education due process hearing and the December 4th and December 6th hearing dates were cancelled. On December 6, 2017, Attorney for the Parents notified the Hearing Officer, that Parents' withdrawal was with prejudice.

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

December 8, 2017

Final Decision and Order 18-0152