

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. East Windsor Board of Education

Appearing on behalf of the Parent:

Penelope Petzold, Esq.
SpEdConnecticut, Inc.
75 Charter Oak Avenue 1-105
Hartford, CT 06106

Appearing on behalf of the Board:

Christine Chinni, Esq.
Chinni & Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to promptly identify the Student as a Student with a Disability under the IDEA?
2. Did the Board fail to provide FAPE?
3. Was the behavior, which was the subject of discipline a manifestation of the Student's disability?
4. If the Board failed to provide Student with FAPE, do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Expedited Due Process Complaint and Request for Hearing on October 27, 2017. The Hearing Officer was appointed on October 30, 2017 and conducted a Prehearing Conference on November 7, 2017. The hearing was scheduled for November 27, 2017. On November 16, 2017, the Parents' attorney withdrew the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.

November 20, 2017

Final Decision and Order 18-0182