

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

R.B. v. Region 16 Board of Education

Appearing on behalf of the Parent: Attorney Courtney Spencer
The Law Office of Courtney P. Spencer, LLC.
100 Riverview Center, Suite 120
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses & Devlin, P.C.
Milford, CT 06460
203-783-1200

Appearing before: Laura Share, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program in the student's IEP dated June 16, 2017?
2. If not, is placement at the Ben Bronz Academy an appropriate placement?

PROCEDURAL HISTORY/SUMMARY:

The Student initiated this special education due process case on November 20, 2017. This Impartial Hearing Officer was assigned to this case on November 20, 2017. A Prehearing Conference was convened on December 15, 2017. Attorney Spencer appeared on behalf of the Student and Attorney Moses appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case is February 2, 2018. An evidentiary hearing was scheduled for January 29, 2018.

On December 19, 2017, Attorney Spencer requested an extension of the hearing date in order to accommodate mediation. On January 15, 2018, the undersigned hearing officer granted same, and an evidentiary hearing was scheduled for February 28, 2018. On February 12, 2018, Attorney Spencer requested a second extension of the hearing date, which was denied.

On February 21, 2018, Attorney Spencer reported to the Hearing Officer that the Parent would like to withdraw her Due Process Complaint without prejudice. Attorney Spencer also reported that once the agreement is finalized, the parents will be withdrawing with prejudice.

February 26, 2018

Final Decision and Order 18-0213

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without prejudice.