

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Colchester Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer  
The Law Offices of Courtney Spencer LLC  
701 Hebron Avenue  
Glastonbury, CT 06033

Appearing on behalf of the District: Attorney Anne Littlefield  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before: Attorney Ann F. Bird, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES**

1. Did the Board of Education offer the Student FAPE from February 29, 2010 to the present?
2. If not, what changes to the Student's program are appropriate and/or is the White Oak School appropriate for the Student, including for the 2012 Summer and 2012-2013 School Year?
3. Is the Student entitled to compensatory education?

**PROCEDURAL HISTORY**

The Student submitted a Request for Impartial Special Education Hearing on February 29, 2012. The Hearing Officer was assigned to the case on February 29, 2012. A telephonic pre-hearing conference was held on March 8, 2012. Hearing dates of May 14, 2012, May 23, 2012 and May 31, 2012 were scheduled.

On March 8, 2012, Counsel for the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearings and to file the final decision, to June 13, 2012. The request was granted and the deadlines were extended to June 13, 2012.

On May 7, 2012, Counsel for the Student submitted a Request to Amend the Request for Impartial Special Education Hearing. A further telephonic pre-hearing conference was held on May 10, 2012. The hearing date of May 14, 2012 was cancelled, and three additional hearing dates of June 25, 2012, July 16, 2012 and July 23, 2012 were scheduled. In addition, the Student's Request to Amend the Request for Impartial Special Education Hearing was granted. As a result, the deadline to complete the hearings and mail the final decision was rescheduled to July 20, 2012.

On May 23, 2012, the hearing was convened. At that time, Counsel for the Student and Counsel for the Board of Education requested that the hearing of that date and the hearing of May 31, 2012 be postponed. The request to postpone these hearing dates was granted.

On June 12, 2012, Counsel for the Student requested that the matter be withdrawn with prejudice.

**FINAL DECISION AND ORDER**

It is ordered that this case is dismissed with prejudice.