

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Hartford Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer
The Law Office of Courtney Spencer, LLC
100 Riverview Center, Suite 290
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Frederick Dorsey
Kainen, Escalera and McHale, P.C.
21 Oak Street
Hartford, CT 06109

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Board's proposed program for the 2013 summer and 2013-2014 school year appropriate?
2. If the Board's proposed program for the 2013 summer and 2013-2014 school year is not appropriate, is Eagle Hill School the appropriate placement and is the Board responsible for placing the Student at Eagle Hill?
3. Are parents entitled to reimbursement for their privately obtained neuropsychological evaluation conducted in December 2012?

PROCEDURAL HISTORY AND SUMMARY:

On May 23, 2013, the Hartford Board of Education received a request for a special education due process hearing. The original deadline for the mailing of the final decision and order was August 6, 2013. During the prehearing conference held on June 18, 2013, the parties stated they were pursuing mediation and requested a 30 day continuance in order to pursue settlement negotiations. This request was granted. The new deadline for the mailing of the final decision and order was established as September 5, 2013. Hearing dates were scheduled for August 7, 2013, August 8, 2013 and August 21, 2013. On August 2, 2013, Attorney for the Student requested that the August 7, 2013 and August 8, 2013 hearing dates be postponed in order for the parties to finalize an agreement. This request was granted. The August 21, 2013 hearing date was retained. On August 18, 2013, Attorney for the Student withdrew the hearing request without prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed without prejudice.