

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Windsor Board of Education

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

Appearing on behalf of the Board: Attorney Susan Freedman
Attorney Gwen J. Zittoun
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Board's program for the Student for the 2013 Extended School Year appropriate?
2. Is the Board's program for the Student for the 2013-2014 school year appropriate?
3. If the Board's program for the Student for the 2013-2014 school year is not appropriate, is the placement of Student at Ben Bronz Academy the appropriate placement?

PROCEDURAL HISTORY AND SUMMARY:

On June 28, 2013, the Windsor Board of Education received a Request for a Special Education Due Process Hearing from Attorney for the Student. The undersigned hearing officer was appointed on June 27, 2013. On July 17, 2013, a prehearing conference was held. During the prehearing conference, hearing dates were set and the deadline for the mailing of the Final Decision and Order was established as September 11, 2013. The hearing was scheduled to take place on September 17, 2013, September 19, 2013, September 25, 2013, September 30, 2013 and October 2, 2013. Upon receipt of the Notice of Hearing Dates, Attorney identified a scheduling conflict with the initial hearing date of September 17, 2013. Upon request by Attorney for the Parent and with no objection from Attorney for the Board, the schedule of hearing dates was revised and September 19, 2013 was established as the date the hearing would begin. An extension of the deadline for the mailing of the Final Decision and Order in order to accommodate the hearing dates was requested by Attorney for the Student on August 23, 2013. This request was rendered moot by the withdrawal of the hearing request in advance of the original mailing date deadline. On August 29, 2013, Attorney for the Student withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.