

July 11, 2011

Final Decision and Order 11-0473

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Pomfret Board of Education

Appearing on behalf of the Parents: Attorney Courtney P. Spencer
The Law Office of Courtney P. Spencer, LLC
710 Hebron Ave.
Glastonbury, CT 06033

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

Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's proposed programs for the Student for summer 2011 and the 2011-12 school year are appropriate;
2. If not, whether the Parent's proposed placement of the Student at Franklin Academy for summer 2011 and the 2011-12 school year, including the residential component, is appropriate;
3. Whether the Parents shall be reimbursed for Dr. Smaller's evaluation.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was received by the Board on May 31, 2011 and a prehearing conference convened on June 7, 2011. The Board's attorney submitted a Motion to Strike on June 30, 2011. After the prehearing conference and prior to the scheduled hearing date, the Parents' attorney submitted notification that they were withdrawing their request for due process with prejudice. Therefore, this matter is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.