

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Killingly Board of Education

Appearing on behalf of the Student: Attorney Courtney Spencer
The Law Offices of Courtney Spencer LLC
100 Riverview Center, Ste 120
Middletown, CT 06457

Appearing on behalf of the Board of Education: Attorney Gwen Zittoun
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 01603-1919

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education evaluate the Student for eligibility in a timely fashion?
2. Did the Board of Education offer the Student a free appropriate public education from April 15, 2013 forward?
3. If the Board of Education did not offer the Student a free appropriate public education, was the St. James School appropriate during this time?
4. If the St. James School was appropriate, is the Student entitled to reimbursement for the expenses associated with the St. James School?
5. Should the Student be placed at the Rectory School?
6. Is the Student entitled to compensatory education services?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on April 15, 2015. The Impartial Hearing Officer was appointed on April 15, 2015. A telephonic pre-hearing conference was held on May 1, 2015. Attorney Courtney Spencer appeared on behalf of the Student and Attorney Rebecca Santiago appeared on behalf of the Board of Education. At that conference, the parties agreed upon identification of the issues in the case, and evidentiary hearing dates of July 2 and July 7, 2015 were established.

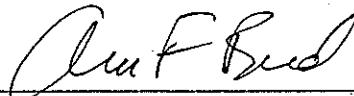
On May 4, 2015 the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision. The Board of Education agreed to the requested postponement and the request was granted. On June 23, 2015 the Board of Education reported that the dispute had been finally resolved, and requested that the case be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Board of Education's request for dismissal is granted and this matter is dismissed.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

ANN F BIRD

Hearing Officer

Name in Print