

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Redding Board of Education

Appearing on behalf of Student:

Attorney Courtney P. Spencer  
Law Office of Courtney P. Spencer  
701 Hebron Avenue  
Glastonbury, CT 06033

Appearing on behalf of the Board of Education:

Attorney Marsha Belman Moses  
Berchem Moses & Devlin  
75 Broad Street  
Milford, CT 06460

Appearing before:

Janis C. Jerman, Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by Student's Attorney via letter dated September 13, 2013.<sup>1</sup> It was received by Board of Education's ("BOE's") Attorney on September 13. The 30-day resolution period ended October 13. The original deadline to mail the final decision and order was November 27.

A telephonic pre-hearing conference was held on October 4. Attorney Spencer appeared on behalf of Student and Attorney Moses appeared on behalf of BOE. The following issues were identified:

1. Did the Board of Education fail to provide Student a free appropriate public education during the 2011-12 school year?
2. Did the Board of Education fail to provide Student a free appropriate public education during the 2012-13 school year?
3. Should the Board of Education be required to provide Student with two years of compensatory education and/or placement at Wellspring?
4. If the answer to any of the above Issues One through Two is in the affirmative, what shall be the remedy?

The parties participated in mediation on October 21. The case did not resolve at that time.

Via e-mail dated October 31, Student's Attorney requested a 30-day extension of the mailing date to schedule hearing dates. After fully considering the positions of the parties, the request for extension was granted and the deadline to mail the final decision and order was extended until December 27.

A hearing was scheduled for December 16. Via letter dated December 6, Student's Attorney indicated that the parties had executed an agreement and withdrew the request for hearing with prejudice.

**FINAL DECISION AND ORDER**

In light of the above facts, the above-captioned case is dismissed with prejudice.

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<sup>1</sup> All dates are 2013 unless otherwise indicated.

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

JANIS C. JERMAN

Hearing Officer

Name in Print