

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Suffield 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 Marsha Moses
Berchem, Moses & Devlin PC
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Ann F. Bird, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the Student a free appropriate public education for the 2014/2015, 2015/2016 and 2016/2017 school years, including the 2015 and 2016 extended school years?
2. If not, is Ben Bronz Academy appropriate for the Student for the 2016/2017 school year?
3. If the Board of Education did not offer the Student a free appropriate public education for the 2014/2015, 2015/2016 and/or 2016/2017 school years, including the 2015 and 2016 extended school years and Ben Bronz Academy is appropriate for the Student for the 2016/2017 school year, should the Student be placed at Ben Bronz Academy for the 2016/2017 school year and should the Student be reimbursed for tuition paid?
4. If the Board of Education did not offer the Student a free appropriate public education for the 2014/2015, 2015/2016 and/or 2016/2017 school years, including the 2015 and 2016 extended school years, is the Student entitled to compensatory education?

PROCEDURAL HISTORY:

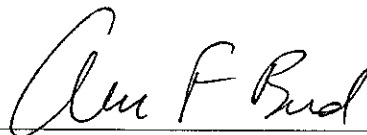
The Student requested a special education due process hearing on September 26, 2016. This Impartial Hearing Officer was assigned to hear the case on September 29, 2016. A prehearing conference was convened on October 11, 2016. Attorney Courtney Spencer appeared for the Student and Attorney Marsha Moses appeared for the Board of Education. It was established that the deadline for completing the hearing and issuing the final decision is December 9, 2016. The parties reported that they reached an agreement for resolution of the case at a mediation but required time to finalize their agreement. On November 22, 2016, the Student reported that the agreement had been finalized and requested that the matter be withdrawn or dismissed with prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request is granted and the matter is dismissed with prejudice.

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