

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

Appearing on behalf of the Parent:           Attorney Courtney Spencer  
The Law Office of Courtney Spencer, LLC  
701 Hebron Avenue  
Glastonbury, CT 06033

Appearing on behalf of the Board:           Attorney Michelle Laubin  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT

Appearing before:                               Attorney Catherine M. Spain, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board provide the Student a free, appropriate, public education (FAPE) in the least restrictive environment (LRE) during the 2010-2011 school year?
2. Did the Board provide the Student a FAPE in the LRE during the 2011-2012 school year?
3. Is the Board proposing an educational placement that will provide the Student FAPE in the LRE for the 2012-2013 school year?
4. If the Board has failed to propose an educational placement that will provide the Student FAPE in the LRE for the 2012-2013 school year, is the Parent's proposed placement appropriate?

**SUMMARY:**

A special education hearing in the above-captioned matter was requested by the Student's attorney and received by the Board on July 12, 2012. Attorney Spencer appeared on behalf of the Student and Attorney Laubin appeared on behalf of the Board during a pre-hearing conference held by telephone on July 30, 2012. On September 21, 2012 Attorney Spencer withdrew her request for due process with prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** with prejudice.