

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Manchester Board of Education

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

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

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a Free Appropriate Public Education ("FAPE") for the 2014-2015 school year?
2. Did the District deny Student a FAPE during the Extended School Year ("ESY") in the summer of 2015?
3. Did the District deny Student a FAPE for the 2015-2016 school year?
4. Did the District deny Student a FAPE for the ESY in the summer of 2016?
5. Did the District offer an appropriate Individualized Education Program ("IEP") to the Student for the 2016-2017 school year?
6. If the District failed to offer an appropriate IEP for the 2016-2017 school year, should Student be placed at The Learning Clinic for the 2016-2017 school year?
7. Is the Student entitled to compensatory education?

PROCEDURAL HISTORY AND SUMMARY:


On September 12, 2016, the Board received a request for a special education due process hearing filed by the Attorney for the Parents. The deadline for mailing the final decision and order was November 25, 2016. On September 13, 2016, the Connecticut State Department of Education appointed the undersigned Hearing Officer to preside over the hearing. A prehearing conference was scheduled for September 23, 2016. On September 21, 2016, the Attorney for the Parents withdrew the request for a special education due process hearing with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case 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

Brette H. Fitton
Hearing Officer Name in Print