

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Suffield Board of Education¹

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

Appearing on behalf of the Board of Education: Attorney Christine A. Sullivan
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, Connecticut 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 April 6, 2018.² It was received by Board of Education ("BOE") on April 6. The 30-day resolution period ended May 6 and the original deadline to mail the final decision and order was June 20. A telephonic pre-hearing conference was held on April 13. Attorney Spencer appeared on behalf of Student and Attorney Sullivan appeared on behalf of BOE.

The following issues were identified:

1. Did the Board of Education provide Student a free appropriate public education for the period from April 6, 2016 to the end of the 2015-16 school year?
2. Did the Board of Education provide Student a free appropriate public education for the 2016 extended school year?
3. Did the Board of Education provide Student a free appropriate public education for the 2016-17 school year?
4. Did the Board of Education provide Student a free appropriate public education for the 2017 extended school year?

¹ In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student," "Parents," and titles of certain school staff members and witnesses in place of names and other personally-identifiable information.

² All dates are 2018 unless otherwise indicated.

5. Did the Board of Education offer Student a free appropriate public education for the 2017-18 school year?
6. If the answer to any of the above questions is in the negative, is Options an appropriate placement for Student?

Hearing was scheduled for June 7. Via letter dated May 9, Student's Attorney requested an extension of the deadline to mail the final decision and order to accommodate scheduling an additional hearing on July 12. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until July 20. An additional hearing was scheduled for July 12.

Via letter dated June 1, Student's Attorney indicated that the parties entered into a settlement agreement and requested to withdraw the request for due process with prejudice.

FINAL DECISION AND ORDER

Based on the above facts, the case is dismissed with prejudice.