

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wethersfield Board of Education

Appearing on behalf of the Parent: Courtney Spencer, Esq.
Law Office of Courtney Spencer, LLC
100 Riverview Center, #120
Middletown, CT 06457

Appearing on behalf of the Board: Peter Maher, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District commit procedural violations which resulted in a denial of FAPE to the Student for the 2017-18 school year including the 2018 ESY?
2. Did the District deny FAPE to the Student by failing to offer him an appropriate program for the 2017-18 school year including the 2018 ESY?
3. Did the District commit procedural violations which resulted in a denial of FAPE to the Student for the 2018-19 school year including the 2019 ESY?
4. Did the District deny FAPE to the Student by failing to offer him an appropriate program for the 2018-19 school year including the 2019 ESY?
5. Did the District commit procedural violation which resulted in a denial of FAPE to the Student for the 2019-20 school year?
6. Did the District deny FAPE to the Student by failing to offer him an appropriate program for the 2019-20 school year?
7. If there has been a denial of FAPE, is the program offered by the Options School an appropriate one for the Student?
8. If there has been a denial of FAPE and the program at Options School is

appropriate, should the District be ordered to place the Student at the Options School?

9. If there has been a denial of FAPE, should the District be ordered to provide compensatory education?

SUMMARY AND PROCEDURAL HISTORY:

Case 20-0033 was commenced by the Parents by request received by the District on September 11, 2019 and subsequently amended on September 18, 2019. A prehearing conference was held on September 25, 2019. At the prehearing conference, a hearing date was set for December 13, 2019 and the decision date was determined to be December 12, 2019. The hearing was subsequently cancelled and the mailing date extended to January 10, 2020.

On December 31, 2019, the undersigned hearing officer was advised by the attorney for the Parents that the Parents were withdrawing the case without prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed without prejudice.