

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. East Lyme Board of Education

Appearing on behalf of the Parent:

Courtney Spencer, Esq.  
Law Office of Courtney Spencer, LLC  
100 Riverview Center, Suite 290  
Middletown, CT 06457

Appearing on behalf of the Board:

Frederick Dorsey, Esq.  
Kainen, Escalera and McHale, PC  
21 Oak Street, Suite 601  
Hartford, CT 06106

Appearing before:

Sylvia Ho, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board fail to provide adequate transition planning for Student?
2. Did the Board fail to provide appropriate assistive technology for Student?
3. Did the Board provide appropriate programs to student in the 2011-2012 and 2012-2013 school years?
4. Did the Board offer an appropriate program for the 2013-2014 school year?
5. Do the circumstances warrant an award of compensatory education?
6. Is Thames Academy an appropriate placement for Student?
7. Should the Parent be reimbursed for tuition and education related expenses for Thames Academy?
8. Should the Board be required to financially support Student's placement at Thames Academy?
9. Did the Board violate Student's procedural due process rights by failing to offer and convene a Resolution Session pursuant to 34 CFR §300.510?

**PROCEDURAL HISTORY/SUMMARY:**

The Parent filed the Due Process Complaint and Request for Hearing on August 26, 2013. The Hearing Officer was appointed on August 26, 2013 and conducted a Prehearing Conference on September 11, 2013. The hearing was scheduled for October 25, 2013. On October 18, 2013, the parties jointly requested a postponement of the hearing date and an extension of the mailing date of the Final Decision because they were near final written agreement of the issues in dispute. The parties' request was granted and the hearing date was postponed to November 22, 2013 and the mailing date of the Final Decision was postponed to December 6, 2013. On November 12, 2013, the Parent's attorney reported to the Hearing Officer that the parties had finalized their agreement and that the Parent was withdrawing the Due Process Complaint with prejudice.

**FINAL DECISION AND ORDER:**

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).



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Hearing Officer Signature

Sylvia Ho

Hearing Officer

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Name in Print