

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Suffield Board of Education

Appearing on behalf of the Student: Parent

Appearing on behalf of the Board: Attorney Marsha Moses  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

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”) in the Least Restricted Environment (“LRE”) for the Extended School Year (“ESY”) in the summer of 2014?
2. Did the District deny Student a FAPE in the LRE for the 2014-2015 school year?
3. Did the District deny Student a FAPE in the LRE for the ESY of 2015?
4. Did the District deny Student a FAPE in the LRE for the 2015-2016 school year?
5. If the District’s program for the 2015-2016 school year is not appropriate, should the Student be placed at the Ben Bronz Academy?

**PROCEDURAL HISTORY AND SUMMARY:**

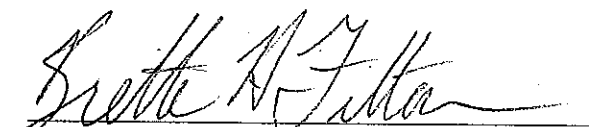
On February 23, 2016, the Board received a Special Education Due Process Hearing Request filed by the Parent and the Connecticut State Department of Education appointed this Hearing Officer to preside over the matter. A prehearing conference was set for March 15, 2016. The deadline for mailing the Final Decision and Order in this matter, based on the date of receipt by the Board, was May 6, 2016. On March 11, 2016, the Parent sent an email to the Hearing Officer indicating she was withdrawing her request for a hearing without 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