

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student vs. Wilton Board of Education

Appearing on behalf of the Parent: Attorney Lawrence Berliner
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214E
Westport, CT 06880

Appearing on behalf of the Board: Attorney Christopher Tracey
Shipman & Goodwin, LLP
300 Atlantic Avenue
Stamford, CT 06901-3522

Appearing before: Robert L. Skelley, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Wilton Board of Education (“Board”) fail to provide the Student with a free and appropriate public education (“FAPE”) during the 2014 – 2015 academic years?
2. Does the Student require an out-of-district school placement, and if so, is the Winston Preparatory School an appropriate placement?
3. Are the Parents entitled to reimbursement for their unilateral placement of the Student at Winston Preparatory School for the 2014-2015 academic years?

PROCEDURAL HISTORY:

The Parents filed this request for due process on January 14, 2015. A prehearing conference was held on January 30, 2015, from which the issues listed above were identified. Initial due process hearings were set for March 10 and March 12, 2015. The March 10, 2015 hearing date was subsequently cancelled due to a scheduling error. On March 11, 2015 the Parties requested to cancel the March 12, 2015 hearing date as resolution had been reached and needed only to be memorialized. The March 12, 2015 hearing date was cancelled. On March 26, 2015, Counsel for the Parents withdrew the due process hearing request.

FINAL DECISION AND ORDER:

With the withdrawal of the complaint by the Parents on March 26, 2015, and with no further issues to be decided, this 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).


Hearing Officer Signature

Robert L. Skelley, Esq.

Hearing Officer Name in Print