

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Guilford Board of Education

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

Appearing on behalf of the Board of Education: Attorney Linda Yoder  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the 2013-2014 School Year?
2. Did the Board of Education offer the Student a free appropriate public education for the 2014-2015 School Year?
3. Did the Board of Education offer the Student a free appropriate public education for the 2015-2016 School Year?
4. If not, is the Student's unilateral placement at Winston Prep Academy for the 2014-2015 and/or placement for the 2015-2016 School Year appropriate?
5. If so, is the Student entitled to reimbursement for the expense of the Winston Prep Academy placement?
6. If the Board of Education did not offer the Student a free appropriate public education for the 2013-2014 School Year, is the Student entitled to compensatory education services?

**PROCEDURAL HISTORY:**

The Student filed this due process case on July 29, 2015. The deadline for submitting the decision was established to be October 12, 2015. A prehearing conference was held on August 28, 2015, and a hearing was scheduled for October 14, 2015.

On October 1, 2015, the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to November 9, 2015. The purpose of the requested postponement and extension was to provide an opportunity for the parties to pursue settlement of the case. The parties had already agreed upon a settlement in principal. The Board of Education agreed to the requested postponement and it was granted.

On November 1, 2015, the Student submitted a second written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to December 9, 2015. The purpose of the requested postponement and extension was to provide an opportunity for the parties to finalize their settlement of the case. The Board of Education did not object to the requested postponement and it was granted.

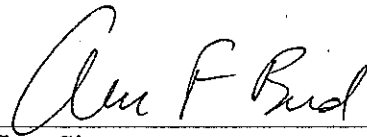
On November 9, 2015, the Student submitted a written request that the matter be dismissed.

**FINAL DECISION AND ORDER:**

It is ordered that the request of the Student for dismissal is granted and this matter 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).



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Hearing Officer Signature

ANN F BIRD

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Hearing Officer      Name in Print