

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Wilton Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
Law Office of Gerry McMahon LLC
98 Mill Plain Road, Ste 3B
Danbury, CT 06811

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

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education fulfill its Child Find obligation between July 1, 2014 and January 14, 2016?
2. Did the Board of Education offer the Student a Free Appropriate Public Education from January 14, 2016?
3. If the Board of Education did not offer the Student a Free Appropriate Public Education from January 14, 2016, is the Westport Day School appropriate?
4. If the Board of Education did not offer the Student a Free Appropriate Public Education from January 14, 2016, and the Westport Day School is appropriate, is the Student entitled to reimbursement for the expense of the Westport Day School placement from March 17, 2016 and/or placement there?
5. If the Board of Education did not offer the Student a Free Appropriate Public Education from January 14, 2016, but the Westport Day School is not appropriate, is the Student entitled to compensatory education services?

PROCEDURAL HISTORY:

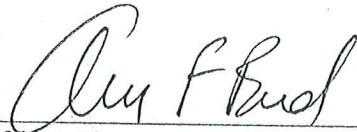
The Student requested a special education due process hearing in the above-captioned matter on June 8, 2016. This Impartial Hearing Officer was appointed to hear the case on June 13, 2016. A telephonic pre-hearing conference was convened on July 5, 2016. Attorney Gerry McMahon appeared on behalf of the Student and Attorney Christopher Tracey appeared on behalf of the Board of Education. The deadline for filing the final decision and order in the case was established to be August 22, 2016. Evidentiary hearings were scheduled for July 29, 2016, August 31, 2016, September 6, 2016 and September 8, 2016. On August 5, 2016, the Student requested that the matter be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Student's request 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).



Hearing Officer Signature

ANN F BIRD

Hearing Officer Name in Print