

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Case No. 03-156

Date of Decision: July 17, 2003

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Attorney Lawrence Berliner, 433 South Main Street, Suite 102, West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Valerie Maze, Town of Greenwich, 101 Field Point Road, Greenwich, CT 06836

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Student's disability category is appropriately identified.
2. Whether the Board's program for the Student for the 2002-2003 school year is appropriate.
3. If not, whether the Parent's proposed placement is appropriate.
4. Whether the Board's proposed program for the Student for the 2003-2004 school year is appropriate.
5. If not whether the Parent's proposed placement is appropriate.

**SUMMARY:**

The matter was assigned on May 30, 2003, and a prehearing conference was held on June 5. A 30-day extension of the mailing date of the final decision was granted in accordance with Section 10-76h-9(e) of the Connecticut Regulations, which provides for a 30-day postponement for settlement discussions between the parties.

The hearing convened on July 16. After extensive discussions off the record and not in the presence of the hearing officer, both counsel indicated that the matter was in the process of being settled. Counsel indicated that additional time would be required to finalize the settlement agreement.

Pursuant to 10-76h-9(e), if the parties are not prepared to go forward with the hearing after the postponement for settlement discussions, no postponements or extensions may be granted for continued settlement discussions. Rather, the hearing officer shall dismiss the hearing request without prejudice. Therefore, this dismissal was issued.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED, without prejudice.**