

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Westport Board of Education

Appearing on behalf of the Student:

Attorney Lawrence Berliner  
Law Office of Lawrence Berliner, LLC  
1720 Post Road East, Suite 214E  
Westport, CT 06880

Appearing on behalf of the Board of Education:

Attorney Marsha Moses  
Berchem, Moses & Devlin, PC  
75 Broad Street  
Milford, Ct 06460

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, 2014-2015 and 2015-2016 School Years?
2. If not, is the Student entitled to compensatory education services?
3. If not, is the Student's unilateral placement appropriate?
4. If so, is the Student entitled to reimbursement for the expense of the unilateral placement and/or placement at the unilateral placement?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing on November 17, 2015. The Impartial Hearing Officer was assigned to hear the case on November 17, 2015. A Prehearing Conference was scheduled for December 3, 2015. On November 20, 2015, the Student submitted a written request that the matter be dismissed without prejudice.

**FINAL DECISION AND ORDER:**

It is ordered that the request of the Student for dismissal is granted and this matter is dismissed without 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).

  
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Hearing Officer Signature

ANN F BIRD  
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Hearing Officer      Name in Print