

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Weston Board of Education

Appearing on behalf of the Student:

Attorney Phillip Cohn
Goldman Gruder & Woods LLC
200 Connecticut Avenue
Norwalk, CT 06854-1965

Appearing on behalf of the Board of Education:

Attorney Christopher Tracey
Shipman & Goodwin LLP
300 Atlantic Street, 3rd Floor
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?
2. Is the Student eligible for special education and related services?
3. If the Student is eligible for special education and related services, did the Board of Education offer the Student a free appropriate public education for the 2014-2015 and/or 2015-2016 School Years?
4. If the Student is eligible for special education and related services and the Board of Education did not offer the Student a free appropriate public education for the 2014-2015 and/or 2015-2016 School Years, is New Haven RTC appropriate?
5. If the Student is eligible for special education and related services and the Board of Education did not offer the Student a free appropriate public education for the 2014-2015 and/or 2015-2016 School Years and New Haven RTC is appropriate, is the Student entitled to reimbursement for the expenses of New Haven RTC and/or placement at New Haven RTC?
6. If the Student is eligible for special education and related services and the Board of Education did not offer the Student a free appropriate public education for the 2014-2015 and/or 2015-2016 School Years and New Haven RTC is appropriate, is the Student entitled to reimbursement for travel expenses to and from New Haven RTC for the Student and/or the Student's parents?
7. If the Student is eligible for special education and related services and the Board of Education did not offer the Student a free appropriate public education for the 2014-2015 and/or 2015-2016 School Years and New Haven RTC is not appropriate, is the Student entitled to compensatory education?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on April 20, 2016. This Impartial Hearing Officer was appointed to hear the case on April 22, 2016. A telephonic pre-hearing conference was convened on May 27, 2016. Attorney Phillip Cohn 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 was established to be July 1, 2016. Evidentiary hearings were scheduled for July 13, 2016 and July 15, 2016.

On May 27, 2016, 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 July 29, 2016. Counsel for the Board of Education agreed to the requested postponement and it was granted.


On July 13, 2016, the evidentiary hearing was convened. At that time, the parties reported that they had resolved the case and the Student requested that the matter be dismissed with prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and 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

ANN F BIRD

Hearing Officer Name in Print