

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Westbrook Board of Education

Appearing on behalf of the Student: Attorney Philip Cohn  
Goldman Gruder & Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06854-1964

Appearing on behalf of the Board: Attorney Leander Dolphin  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

The following issues have been identified for determination at the hearing:

1. Did the Board of Education provide or offer the Student with a Free Appropriate Public Education (FAPE) for the 2017-2018, the 2018-2019 and/or the 2019-2020 School Year, including each Extended School Year?
  - a. If not, does the Student require a residential program?
  - b. If the Board did not provide or offer FAPE and the Student requires a residential program, is the Sunrise RTC an appropriate placement for the Student?
  - c. If the Board did not provide or offer FAPE and the Student requires a residential program, and the Sunrise RTC is an appropriate placement, should the Board reimburse the Student for the expense of her placement at Sunrise RTC, including related expenses, and/or prospectively place her there?
2. If the Board did not provide the Student with FAPE, is the Student entitled to compensatory education and, if so, what are the essential features of such compensatory education?
3. Does the Hearing Officer have jurisdiction to decide whether the Board violated the Student's rights under Section 504 of the Rehabilitation Act.
  - a. If so, did the Board violate the Student's rights under Section 504?
  - b. If so, what remedy is appropriate for violation of the Student's rights under Section 504?

**PROCEDURAL HISTORY:**

The Student initiated this special education due process case on June 19, 2019. This Impartial Hearing Officer was assigned to the case on June 20, 2019. A Prehearing Conference was convened on July 12, 2019. Attorney Philip Cohn appeared on behalf of the Student and Attorney Leander Dolphin appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case is August 30, 2019. An evidentiary hearing was scheduled for July 31, 2019, August 23, 2019 and August 26, 2019.

On July 24, 2019, the Student reported that the parties had achieved a settlement of the case and requested that the hearings be cancelled and the matter be dismissed.

**FINAL DECISION AND ORDER:**

The Student's request is granted and the matter is dismissed.