

March 26, 2014

Final Decision and Order 14-0352

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Region 9 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 Michael McKeon
Pullman & Comley LLC
90 State House Square
Hartford, CT 06103

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 2012-13 School Year?
2. If not, was Winston Preparatory an appropriate placement for the 2012-13 School Year?
3. If so, is the Student entitled to reimbursement for the cost of his program at Winston Preparatory for the 2012-13 School Year, including transportation?
4. Is the Student entitled to compensatory education services for the 2012-13 School Year?
5. Did the Board of Education offer the Student a free appropriate public education for the 2013-14 School Year?
6. If not, was Winston Preparatory an appropriate placement for the 2013-14 School Year?
7. If so, is the Student entitled to reimbursement for the cost of his program at Winston Preparatory for the 2013-14 School Year, including transportation?
8. Is the Student entitled to compensatory education services for the 2013-14 School Year?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in this matter on January 24, 2014. This Impartial Hearing Officer was appointed to hear the case on January 27, 2014. A telephonic pre-hearing conference was held on February 13, 2014. Attorney Lawrence Berliner appeared on behalf of the Student and Attorney Michael McKeon appeared on behalf of the Region 9 Board of Education. A hearing was scheduled for April 2, 2014.

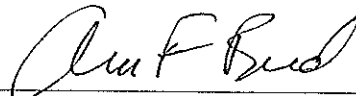
On March 25, 2014, Counsel for the Student reported that the parties had settled the case and requested that the Impartial Hearing Officer dismiss the matter with prejudice.

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