

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner  
The Law Office of Lawrence Berliner, LLC  
1720 Post Road, East – Suite 214B  
Westport, CT 06880

Appearing on behalf of the Board: Attorney Abby Wadler  
Assistant Town Attorney  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District deny Student a Free Appropriate Public Education (“FAPE”) for the 2014-2015 academic year?
2. If the District denied Student a FAPE for the 2014-2015 academic year, what is the appropriate program for Student?

**PROCEDURAL HISTORY AND SUMMARY:**

On April 6, 2015, the Greenwich Board of Education received Student’s Special Education Due Process Hearing Request and the undersigned Hearing Officer was appointed on the following day. During the prehearing conference held on April 21, 2015, a hearing date of May 8, 2015 was set and the deadline for mailing the Final Decision and Order was established as June 19, 2015. On April 30, 2015, Counsel for the Parent requested a postponement of the May 8, 2015 hearing date and an extension of the deadline for the mailing of the Final Decision and Order to allow the parties to engage in further settlement discussions. The Board agreed with these requests and both requests were granted. The new deadline for the mailing of the Final Decision and Order was established as July 17, 2015. On May 20, 2015, prior to the rescheduled hearing date of June 22, 2015, Attorney for the Parent sent an email to the Hearing Officer indicating the matter had settled and Parents were withdrawing their hearing request.

**FINAL DECISION AND ORDER:**

In light of the above facts, the case is dismissed.

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

Brette H. Fitton  
Hearing Officer      Name in Print