

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Westport Board of Education

Appearing on behalf of the Student:

Attorney Meredith Braxton
Meredith C. Braxton Esq LLC
280 Railroad Avenue, Ste 205
Greenwich, CT 06830

Appearing on behalf of the Board of Education:

Attorney Marsha Moses
Berchem, Moses & Devlin, P.C.
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 2016/2017 School Year?
 - a. If not, does the Student require a residential placement?
 - b. If so, is the Eagle Hill residential program appropriate for the Student?
 - c. If so, is the Student entitled to placement in, or reimbursement for, the Eagle Hill residential program?
2. If the Board of Education did not offer the Student a free appropriate public education for the 2016/2017 School Year and the Student does not require a residential placement, is the Eagle Hill day program appropriate for the Student?
 - a. If so, is the Student entitled to placement in, or reimbursement for, the Eagle Hill day program?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on October 21, 2016. The Impartial Hearing Officer was appointed to hear the case on October 24, 2016. A telephonic pre-hearing conference was convened on November 11, 2016. Attorney Meredith Braxton appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education.

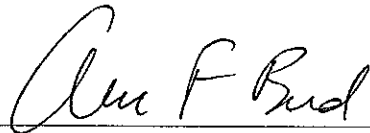
Evidentiary hearings were scheduled for January 5, 2017, January 19, 2017, January 23, 2017 and January 26, 2017. The deadline for completing the hearings and issuing the Final Decision and Order is January 4, 2017. On December 27, 2016, the Student notified the Hearing Officer that the case was settled at mediation and requested that the matter be withdrawn or dismissed with prejudice.

FINAL DECISION AND ORDER:

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