

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Guilford Board of Education

Appearing on behalf of the Student:

Attorney Lawrence W. Berliner
Law Offices of Lawrence W. Berliner LLC
1720 Post Road East, Suite 214E
Westport, CT 06880

Appearing on behalf of the Board of Education:

Attorney Alyce Alfano
Shipman & Goodwin LLP
300 Atlantic Street
Stamford, CT 06901-3522

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?
2. If not, does the Student require a residential placement?
3. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2016-2017 School Year and the Student requires a residential placement, is the Vermont Academy appropriate?
4. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2016-2017 School Year and the Student requires a residential placement, and the Vermont Academy is appropriate, should the Student be reimbursed for the expenses of, and/or placed at, the Vermont Academy?
5. Should the Student receive compensatory education services?
6. Should the Student be reimbursed for the expense of an education consultant, reports of his therapist; and/or reports of Dr. Halverson?
7. Should the Student be reimbursed for legal expenses incurred in connection with suspension of the Student, recommendation of the Student for expulsion and/or the arrest of the Student for alleged manufacture and/or possession of a weapon?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing on March 22, 2017. This Impartial Hearing Officer was assigned to hear the case on March 23, 2017. A prehearing conference was conducted on April 13, 2017. Attorney Lawrence Berliner appeared for the Student and Attorney Alyce Alfano appeared for the Board of Education. The deadline for filing the final decision was established to be June 5, 2017. Evidentiary hearings were scheduled for May 30, 2017 and June 6, 2017.

On April 13, 2017, Counsel for 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 5, 2017. The purpose of the requested postponement and extension was to accommodate the hearing schedule. The Board of Education consented to the extension and it was granted.

On May 23, 2017, Counsel for the Student requested that the evidentiary hearings be cancelled and rescheduled to June 30, 2017 in order to afford the parties time to finalize their settlement. The Board of Education did not object to the request and it was granted.

On June 21, 2017, Counsel for the Student reported that the matter had been resolved and requested that the case 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.