

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Parent: Phillip Cohn, Esq.
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board: Christopher Tracey, Esq.
Shipman & Goodwin, LLP
300 Atlantic Street
Stamford, CT 06901

Appearing before: Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to provide FAPE to the Student for the 2015-2016 school year, and extended school year?
2. Did the District improperly exit the Student from special education during the 2015-2016 school year?
3. Did the District fail to provide FAPE to the Student for the 2016-2017 school year and extended school year?
4. Did the District fail to fulfill its Child Find obligation by not referring the Student back to the PPT until December of 2017, and then refusing to find her eligible at the January 26, 2017 PPT?
5. If any of 1-4 are in the negative, is Westport Day School is an appropriate placement?
6. If so, should the District reimburse the Parents or prospectively pay for the cost of Westport Day School from January 30, 2017 through the end of 2016-2017 school year, including the extended school year, and related expenses and transportation?
7. If so, should the District should reimburse the Parents for educational expenses incurred by the District's denial of FAPE?
8. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on March 22, 2017. The Hearing Officer was appointed on March 23, 2017 and conducted a Prehearing Conference on June 5, 2017. The hearing was scheduled for May 19, 2017. At the request of the parties, the hearing date was postponed to June 16, 2017 and mailing date of the Final Decision was extended to July 5, 2017 so that the parties could engage in mediation. The hearing convened on June 16, 2017 and the Parents withdrew the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.