

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Attorney Amanda Oren  
Mayerson & Associates  
330 W. 38<sup>th</sup> Street, Suite 600  
New York, NY 10018

Appearing on behalf of the Board: Attorney Susan Freedman  
Shipman & Goodwin LLP  
One American Row  
Hartford, CT 06103-2819

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

Whether the Board's program for the Student for the 2003-2004 school year is appropriate.

If not, whether the Parent's placement for the Student is appropriate.

Whether the Board's proposed program for the Student for the extended school year 2004, the 2004-2005 school year and the extended school year 2005 is appropriate.

If not, whether the Parent's proposed placement for the Student is appropriate.

Whether the Board's actions constituted procedural violations.

Whether the Board received appropriate notice prior to the Student's unilateral placement.

**SUMMARY:**

The matter was assigned on April 1, 2004, and a prehearing teleconference was held on April 7. Both counsel requested an extension of the mailing date of the decision to submit this matter to mediation, which was granted. On April 29, the Parent's attorney submitted a request to "[p]lease withdraw our request for due process with prejudice." As the filing by the Parent's attorney was a request that the hearing officer withdraw the request for due process, rather than a notice that the Parent's attorney was withdrawing the request, a dismissal of this case is appropriate. This dismissal is necessary as the party and their attorney should withdraw the matter, not request that the hearing officer withdraw the request for due process. The request that the hearing officer withdraw the request for due process is construed as a request that the hearing officer dismiss this case.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.