

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Stamford Board of Education

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

Appearing on behalf of the Board of Education: Attorney Marsha Moses  
Berchem, Moses & Devlin PC  
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 2016/17 School Year and/or the 2016 Extended School Year?
2. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2016/17 School Year and/or the 2016 Extended School Year, is SPIRE appropriate?
3. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2016/17 School Year and/or the 2016 Extended School Year and if SPIRE is appropriate, should the Student be reimbursed for the expense of the SPIRE program?
4. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2016/17 School Year and/or the 2016 Extended School Year and SPIRE is not appropriate, is the Student entitled to compensatory education services?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing in the above-captioned matter on August 17, 2016. This Impartial Hearing Officer was appointed to hear the case on August 18, 2016. A telephonic pre-hearing conference was convened on September 13, 2016. Attorney Lawrence Berliner appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. It was determined that the deadline for mailing the Final Decision and Order was October 31, 2016. An evidentiary hearing was scheduled for November 2, 2016.

On September 13, 2016, 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 November 30, 2016. The purpose of the requested postponement and extension was to accommodate the hearing schedule. The Board of Education agreed to the requested postponement and it was granted.

On November 22, 2016, the parties notified the Hearing Officer that the case was settled and a written agreement was being finalized. On November 28, 2016, the Student requested an additional short extension of the timeline to facilitate finalization of the agreement. The Board of Education agreed to the extension and it was granted.

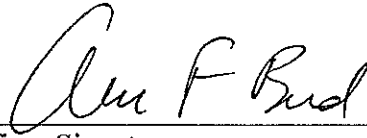
On November 28, 2016, the Student reported that the agreement had been finalized and requested that the matter be withdrawn or dismissed with prejudice.

**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).



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Hearing Officer Signature

ANN F BIRD

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Hearing Officer      Name in Print