

October 5, 2018

Final Decision and Order 19-0002

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

TW v. Simsbury Board of Education

Appearing on behalf of the Student:

Attorney Courtney Spencer  
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Middletown, CT 06457

Appearing on behalf of the Board:

Attorney Julie Fay  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board offer an appropriate program for the 2016-17, 2017-18 and 2018-19 school years including the 2017 and 2018 extended school years?
2. If not, is placement at White Oak School the appropriate program for the Student for the 2018-19 school year and should the Board be ordered to place the Student at White Oak School for the 2018-19 school year.
3. Should the parent be reimbursed for Dr. Miriam Swenson's Independent Evaluation?
4. Is the Student entitled to compensatory education?

**PROCEDURAL BACKGROUND:**

Counsel for the Student filed this Request for Due Process Hearing on July 2, 2018. The Hearing Officer was assigned on July 2, 2018. A Prehearing Conference was scheduled, and held on July 25, 2018, at which hearing dates were set. Counsel reported that mediation had been scheduled for this matter and requested extensions of time to engage in such mediation. Hearing dates were set by agreement for October 5 and 11, 2018. On October 1, 2018 the parties informed the Hearing Officer that they had reached a settlement of the matter as a result of that mediation, and requested the matter be dismissed.

**FINAL DECISION AND ORDER:**

The case is DISMISSED without prejudice.