

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Lawrence Berliner, Esq.  
Law Office of Lawrence Berliner  
1720 Post Road East, #214-E  
Westport, CT 06680

Appearing on behalf of the Board: Marsha Moses, Esq.  
Berchem Moses, PC  
75 Broad Street  
Milford, CT 06460

Appearing before: Patrick L. Kennedy, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide the Student with FAPE for the 2018-19 school year?
2. If so, is Eagle Hill School an appropriate placement for the Student?
3. If the answers to the foregoing questions are in the affirmative, should the Parents be reimbursed for the costs of attendance, including transportation, at Eagle Hill School?
4. If the Student has been denied FAPE, should compensatory education be provided?
5. Should the District reimburse the Parents for the cost of the independent evaluation?

**SUMMARY AND PROCEDURAL HISTORY:**

Case 19-0166 was commenced by the Parents by request received by the Board on August 22, 2018. A prehearing conference was held on September 28, 2018. At the prehearing conference, hearing dates were set for November 14, 2018; November 15, 2018; November 20, 2018; December 4, 2018 and December 6, 2018 and the decision

date was determined to be November 5, 2018. Hearings were subsequently cancelled and rescheduled and ultimately cancelled again, most due to the settlement of the case. The decision date was extended several times, the last such extension being to March 1, 2019.

On February 21, 2019, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a settlement in the case and the matter should therefore be dismissed with prejudice.

**FINAL DECISION AND ORDER:**

The matter is dismissed with prejudice.