

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Parents:

Attorney Andrew Feinstein
Feinstein Education Law Group, LLC
86 Dennison Avenue
Mystic, CT 06355

Appearing on behalf of the Board:

Attorney Andreana Bellach
& Goodwin, LLP
300 Atlantic Street
Stamford, CT 06901

Appearing before:

Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to propose a program that would have provided Student with a Free Appropriate Public Education for the 2015-2016 school year?
2. If the program proposed by the Board for the 2015-2016 school year was not appropriate, is the program provided to Student by the Easton Country Day School appropriate, and if so, are Parents entitled to reimbursement for their unilateral placement of Student there in September 2015?

PROCEDURAL HISTORY AND SUMMARY:


On October 16, 2015, the Board received a Special Education Due Process Hearing Request filed by Attorney for the Parents and the undersigned Hearing Officer was appointed by the Connecticut State Department of Education. During the prehearing conference held on November 11, 2015, a hearing date of February 2, 2016 was set and the deadline for mailing the Final Decision and Order was established as December 30, 2015. During the prehearing conference, Counsel indicated that a mediation date had been scheduled for January 11, 2016. Attorney for the Parents requested an extension of the mailing deadline to allow the parties to engage in settlement negotiations. This request was granted and the new deadline for mailing the Final Decision and Order was established as January 29, 2016. On December 22, 2015, Attorney for the Parents requested an extension of the mailing deadline to accommodate the agreed upon hearing date. This request was granted and February 26, 2016 was established as the new mailing deadline. After the parties participated in the mediation on January 11, 2016, Counsel jointly requested a postponement of the February 2, 2016 hearing date in order to allow the parties time to finalize an agreement. This request was granted and the February 2, 2016 date was postponed and replaced with a hearing date of February 23, 2016. On February 19, 2016, Attorney for the Parents withdrew Parents' Special Education Due Process Hearing Request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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).


Hearing Officer Signature

Brette H. Fitton
Hearing Officer Name in Print