

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Milford Board of Education

Appearing on behalf of the Parent: Andrew Feinstein, Esq.
Attorney at Law, LLC
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board: Michael McKeon, Esq.
Pullman and Comley,
90 State Street
Hartford, CT 06103

Appearing before: Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide FAPE for the 2013-2014 and 2014-2015 school years and extended school years?
2. Did the Board offer FAPE for the 2015-2016 school year?
3. If not, is Kildonan an appropriate placement for Student?
4. If so, are Parents entitled to reimbursement for all tuition and education related expenses, including expenses related to attendance at Kildonan for summer of 2015?
5. If so, are Parents entitled to reimbursement of their privately obtained neuropsychological evaluation?
6. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on September 1, 2015. The Hearing Officer was appointed on September 2, 2015 and conducted a Prehearing Conference on September 10, 2015. The hearing was scheduled for November 9, 2015 and postponed to December 2, 2015. The hearing commenced on December 2, 2015. No attorneys were in attendance at the hearing. The Director of Pupil Services reported that the parties have come to an agreement. The Hearing Officer directed the Director of Pupil Services to ask the Board's attorney to contact the Parent's attorney to confirm the terms of the withdrawal. Later, the parent's attorney emailed and confirmed that the parents were withdrawing the matter without prejudice.

FINAL DECISION AND ORDER:

The matter 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

Sylvia Ho
Hearing Officer Name in Print