

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

Appearing on behalf of the Parents:

Pro Se

Appearing on behalf of the Board:

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

Appearing before:

Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board for the 2013-2014 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Is the program offered by the Board for the 2014-2015 school year appropriate and does it provide the Student with FAPE in the LRE? if not;
3. Does the unilateral placement of the Student at Eagle Hill, in Greenwich, provide the Student with a meaningful education?
4. Should the Parent be reimbursed for the cost of their unilateral placement of the Student at Eagle Hill?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Multiple Disabilities and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2014-2015 school year. The Parents requested placement at Eagle Hill, in Greenwich, for the 2014-2015 school year. The Board refused the Parents' request.

On May 28, 2014, the Board received notice of the Parents' request for due process. The parties agreed to forgo a resolution meeting and mediate the matter. An impartial hearing officer was appointed on May 28, 2014 and a pre-hearing conference was held on June 19, 2014. Hearing dates of August 14, 20, 2014 and September 3, 2014 was chosen by the parties.

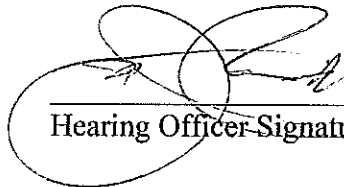
In an electronic transmission the parties informed the hearing officer that the matter had been resolved at mediation. The parties requested additional time in order to finalize an agreement. In an electronic transmission dated July 30, 2014, the parties advised the hearing officer that the agreement had not been signed by all parties. The Parents withdrew the matter with prejudice. The date for the mailing of the Final Decision and Order is August 11, 2014.

FINAL DECISION AND ORDER:

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).



Hearing Officer Signature

Justino Rosado
Hearing Officer Name in Print