

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student¹ v. Darien Board of Education

Appearing on behalf of Student: Attorney Andrew Feinstein
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board of Education: Attorney Andreana Bellach
Shipman & Goodwin LLP
300 Atlantic Avenue
Stamford, CT 06901-3522

Appearing before: Janis C. Jerman
Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via letter dated July 1, 2014.² It was received by the Board of Education ("BOE") on July 7. The 30-day resolution period ends August 6. The deadline to mail the final decision and order is September 20.

The following issues are identified in the request for due process:

1. Did the Board of Education provide Student with a free appropriate public education during the 2013-14 school year?
2. Did the Board of Education propose an appropriate program that would provide Student a free appropriate public education during the 2014-15 school year?
3. If the answer to any of the above Issues One through Two is in the negative, what shall be the remedy?

A telephonic pre-hearing conference was scheduled for July 29. Attorney Feinstein appeared on behalf of Student. No one appeared on behalf of BOE. Attorney Feinstein indicated that the parties participated in mediation that morning and had resolved the matter. He further

¹ In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student", "Parents", "School" and titles of school staff members and certain other witnesses in place of names and other personally identifiable information.

² All dates are 2014 unless otherwise indicated.


indicated that he would submit a written withdrawal with prejudice the following day. He then requested withdrawal with prejudice via e-mail.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case 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

JANIS C. JERMAN

Hearing Officer

Name in Print