

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

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

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

Appearing before: Robert L. Skelley, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Darien Board of Education ("Board") offer the Student a free and appropriate public education ("FAPE") for the school year 2011-2012?
2. Did the Board offer the Student a FAPE for the extended school year ("ESY") for the 2012 summer ESY period?
3. Did the Board offer the Student a FAPE for the school year 2013-2014?
4. Did the Board offer the Student a FAPE for the 2013 summer ESY period?
5. Are the Parents entitled to reimbursement for their unilateral placement of the Student at the Eagle Hill program for the 2013-2014 school years inclusive of transportation?
6. Are the Parents entitled to reimbursement for the cost of the evaluation at the Soifer Center which occurred in September, 2013?
7. Is the Student entitled to any compensatory education for any of the time periods in question?

PROCEDURAL HISTORY:

This matter was filed on April 15, 2014. A prehearing conference was held on April 25, 2014, from which the issues listed above were identified. An initial due process hearing date was scheduled for June 11, 2014. Mediation was held on May 21, 2014 at which an agreement was reached. The Parties requested a postponement of the June 11, 2014 hearing date to memorialize the agreement. The request was granted and the hearing date was rescheduled to June 23, 2014. On June 11, 2014, Counsel for the Parents, via email, indicated that the Parties had finalized the agreement and that the Parents were withdrawing the complaint with prejudice.

FINAL DECISION AND ORDER:

On June 11, 2014 the Parents withdrew the complaint with prejudice. With no further issues to be decided, this 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).

Robert L. Skelley
Hearing Officer Signature

Robert L. Skelley, Esq.

Hearing Officer Name in Print