

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Parents:

Attorney Jillian Griswold  
Feinstein Education Law Group, LLC  
945 Main Street, Suite 304  
Manchester, CT 06040

Appearing on behalf of the Board:

Attorney Christopher Tracey  
Shipman & Goodwin, LLP  
300 Atlantic Street  
Hartford, CT 06103-1919

Appearing before:

Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District deny Student a Free Appropriate Public Education ("FAPE") for that portion of the 2013-2014 school year beginning on November 17, 2013 and continuing through the end of the school year?
2. Did the District fail to propose an appropriate Individualized Education Program ("IEP") for the 2014-2015 school year?
3. Did the District fail to propose an appropriate IEP for the 2015-2016 school year?
4. If the District's proposed IEPs for the 2014-2015 school year and 2015-2016 school years were not appropriate, did and does Winston Preparatory School, where the Student has been unilaterally placed by Parents, provide an appropriate program for Student?
5. If the Student was denied a FAPE within the applicable statute of limitations, what should the remedy be, and should it include reimbursement for the following expenses:
  - a. Tuition for the 2014-2015 and 2015-2016 school years;
  - b. Transportation;
  - c. Related services; and/or
  - d. A privately obtained neuropsychological evaluation?

**PROCEDURAL HISTORY AND SUMMARY:**

On November 17, 2015, the Board received a Special Education Due Process Hearing Request filed by Student and this Hearing Officer was appointed by the CSDOE. During the prehearing conference held on December 3, 2015, hearing dates of February 23, 2016 and February 24, 2016 were set and the deadline for mailing the Final Decision and Order was established as January 29, 2016. An oral request for an extension of the mailing deadline was made by Attorney for the Student during the prehearing conference. The extension was requested in order to allow the parties time to participate in settlement negotiations and to accommodate the agreed upon hearing date schedule. The Board had no objection to


this request. The request was granted and February 26, 2016 was established as the new deadline for the mailing of the Final Decision and Order. On January 20, 2016, Attorney for the Student sent an email to the Hearing Officer indicating that the matter had settled at a mediation that had taken place on January 19, 2016 and Student was withdrawing the Due Process Hearing Request with prejudice as a result.

**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