

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

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

Appearing on behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's programs for the Student for the 2011-12 and 2012-13 school years were appropriate;
2. Whether the Board's proposed program for the Student for the 2013-14 school year is appropriate;
3. Whether the Parents' unilateral placement of the Student at Villa Maria for the 2013-14 school year is appropriate and shall be reimbursed;
4. Whether the Parents shall be reimbursed for the costs of the FM system and iPad.
5. Whether the Parents shall be reimbursed for the Student's central auditory processing reevaluation, the speech and language evaluation, the neuropsychological evaluation and the independent education evaluation;
6. Whether the Student is entitled to compensatory education.

PROCEDURAL HISTORY/DISCUSSION:

This hearing request was received by the Board on August 14, 2013, and a prehearing conference convened on August 20, 2013. At the prehearing conference the attorneys for both parties confirmed that the parties had agreed to mediate this case.

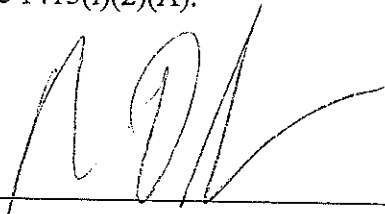
The Parents' request for an extension of the mailing date of the decision was granted so that the parties had sufficient time to settle this case through mediation, and a hearing date of October 17, 2013 was scheduled. Prior to the first hearing date, the Parents' attorney submitted notification that the parties settled at mediation and that the request for due process was withdrawn with prejudice. Therefore, this matter is dismissed.

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).



Attorney Mary Elizabeth Oppenheim
Hearing Officer