

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

Appearing on behalf of the Parent: Attorney Andrew Feinstein
Andrew Feinstein, Attorney at Law, LLC
86 Denison Avenue
Mystic, Ct 06355

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. Is the program offered by the Board for the 2013-2014 school year appropriate and does it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Is the unilateral placement of the Student at Little Keswick School in Keswick, Virginia appropriate and does it provide the Student with a meaningful education?
3. Should the Parents be reimbursed for cost incurred of the unilateral placement of the Student at Little Keswick School in Keswick, Virginia for the 2013-2014 school year?
4. Should the Parents be reimbursed for the cost of the evaluation performed by Dr. Jeanne Dietrich?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism 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 2013-2014 school year. The Parents requested placement at Little Keswick School in Keswick, Virginia for the 2013-2014 school year. The Board refused the Parents' request.

On February 18, 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 February 14, 2014 and a pre-hearing conference was held on February 18, 2014. A hearing date of March 27, 2014 was chosen by the parties.

In an electronic transmission the parties requested cancelation of the hearing date because the matter had been resolved. The parties requested additional time in order to finalize an agreement. In an electronic transmission dated April 9, 2014, the parties advised the hearing officer that the agreement had not been signed by all parties. The Parents' attorney withdrew the matter without prejudice.

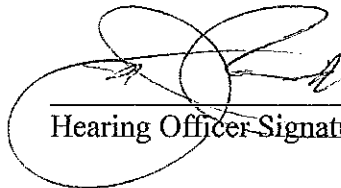
The date for the mailing of the Final Decision and Order is May 2, 2014.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT 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