

**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 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 proposed 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 program requested by the Parent at Villa Maria Educational Center (VMEC) appropriate and does it provided the student with FAPE in the LRE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Multiple Disabilities and is entitled to receive FAPE as defined in the Individuals With Disabilities 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 the Villa Maria Educational Center for the 2013-2014 school year. The Board refused the Parents' request.

On July 3, 2013, 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 July 3, 2013 and a pre-hearing conference was held on July 12, 2013. A hearing date of September 10, 2013 was chosen by the parties. In an electronic transmission dated September 12, 2013, the parties advised the hearing officer that they were able to resolve the matter. The Parents' attorney withdrew the matter with prejudice.

The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing dates. The date for mailing the Final Decision and Order is September 16, 2013.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITH PREJUDICE.