

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

Appearing on behalf of the Parent: Attorney Courtney Spencer  
The Law Office of Courtney Spencer, LLC  
100 Riverview Center, Suite 290  
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Christopher Tracey  
Shipman and 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”) fail to provide the Student a free and appropriate public education (“FAPE”) after the Student’s discharge from Wellspring, for the remainder of the 2013-2014 school years?
2. Is the 2014-2015 school year individualized education program (“IEP”) proposed by the Board an appropriate program for the Student?
3. Does the Student require a residential program for the extended school year (“ESY”) summer 2014 and following 2014-2015 school years?
4. If the answer to Issue number 3 is YES, is placement at Westover School an appropriate placement and program?
5. Are the Parents entitled to reimbursement for their unilateral placement of the Student at Westover School?

**PROCEDURAL HISTORY:**

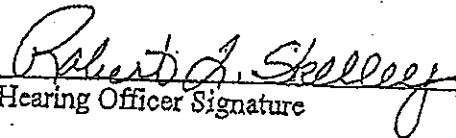
The complaint was filed by the Parents on April 24, 2014. A prehearing conference was held on May 8, 2014, from which the issues listed above were identified. An initial due process hearing date was set for June 25, 2014, with the final decision and order date set for July 8, 2014. On June 17, 2014 the Parties agreed to postpone the provision of exhibits until June 23, 2014 in the belief that a settlement agreement was imminent. On June 23, 2014 the Parents, through counsel, notified the Hearing Officer via email that the complaint was being withdrawn with prejudice. The scheduled due process hearing was cancelled.

**FINAL DECISION AND ORDER:**

The Parents have withdrawn this complaint, with prejudice.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(1)(2)(A).

  
Hearing Officer Signature

Robert L. Skelley, Esq.

Hearing Officer      Name in Print