

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

Appearing on behalf of the Student:

Attorney Meredith Braxton
Meredith C. Braxton, LLC
280 Railroad Avenue, Suite 205
Greenwich, CT 06830

Appearing on behalf of the Board:

Attorney Marsha Moses
Berchem Moses PC
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

The following issues have been identified for determination at the hearing:

1. Did the Board violate its child-find duty under Section 504 of the Rehabilitation Act?
2. Did the Board violate its child-find duty under IDEA?
3. Did the Board deny the Student FAPE under Section 504 for all years prior to the Student's first IEP in May 2017?
4. Did the IEP for May 2017-May 2018 deny the Student FAPE?
5. Did the IEP proposed for the 2018-19 School Year deny the Student FAPE?
6. Are the Student's Parents entitled to compensatory education services for the period of child-find violations under Section 504 and IDEA?
7. Are the Student's Parents entitled to reimbursement for the comprehensive evaluation by Shelley Lacey-Castellot?
8. Are the Student's Parents entitled to reimbursement for the Student's enrollment at Carroll School?

9. Are the Student's Parents entitled to transportation to and from Carroll School each week?
10. Should the Student be prospectively placed at Carroll School for the 2018-19 School Year?

PROCEDURAL HISTORY:

The Student initiated this special education due process case on July 26, 2018. This Impartial Hearing Officer was assigned to the case on July 30, 2018. A Prehearing Conference was convened on August 24, 2018. Attorney Meredith Braxton appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case is October 9, 2018. That deadline was extended to November 9, 2018. An evidentiary hearing was scheduled for October 18, 2018 and October 30, 2018.

On September 14, 2018, the Student reported that the matter had been resolved and requested that the case be withdrawn or dismissed with prejudice.

FINAL DECISION AND ORDER:

The Student's request is granted and the matter is dismissed with prejudice.