

February 7, 2019

Final Decision and Order 19-0079

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing for the Parents:

Attorney Lawrence Berliner
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214-E
Westport, CT 06680

Appearing on behalf of the Board:

Attorney Marsha Moses
Berchem Moses, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Kelly Moyher, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was an appropriate program offered to the Student by the Stamford Board of Education for the 2016-2017, 2017-2018 and 2018-2019 school years?
2. If the Student was denied FAPE, is placement at the Villa Maria School appropriate for the Student for the 2017-2018 school year?
3. Is placement at the Villa Maria School appropriate for the Student for the 2018-2019 school year?
4. Is the Stamford Board of Education responsible for any or all costs associated with placement of the Student at the Villa Maria School for either or both school years in question?
5. Is the Student entitled compensatory education and/or to any other relief as deemed appropriate by the Hearing Officer?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on August 7, 2018. The Hearing Officer was appointed on August 8, 2018. A Prehearing Conference was scheduled for September 20, 2018. Requests for extensions to negotiate a settlement

agreement were granted on October 18, 2018 and December 5, 2018. The parties agreed on hearing dates in December which were ultimately cancelled due to the parties being close to executing a settlement agreement. The new mailing date given was January 22, 2019. Another extension was granted for the settlement agreement to be executed, a hearing date set for February 13, and a new mailing date was set for February 15. On February 6, 2019, the Hearing Officer was notified by the Parents' attorney that the request for a due process hearing was being withdrawn.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.