

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Ed

Appearing on behalf of the Parent:

Attorney Lawrence Berliner
Law Office of Attorney Lawrence Berliner, LLC
1720 Post Road East Suite 214E
Westport, Connecticut 06880

Appearing on behalf of the Board:

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

Appearing before:

Jane Ford Shaw, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide the Student with a free and appropriate public education for 2016-2017 school year commencing on or after April 13, 2017?
2. Did the Board offer the Student a free and appropriate public education for 2017-2018 school year?
3. If the Board did not provide the Student a free and public education for the 2016-2017 school year commencing on or after April 13, 2017, is Villa Maria Academy appropriate?
4. If the Board did not offer the Student a free and appropriate public education for 2017-2018 school year, is Villa Maria Academy appropriate?
5. If the Board did not provide and/or offer the Student a free and appropriate public education for the 2016-2017 school year commencing on or after April 13, 2017 and/or the 2017-2018 school year, should the Student be reimbursed for the tuition and education related expense of Villa Maria Academy?
6. Did the Board comply with the substantive and procedural requirements set forth in the IDEA and applicable state Statutes and federal regulations as set forth in the Student's complaint?
7. If the Board did not comply with the substantive and procedural requirements set forth in the IDEA and applicable State Statutes and federal regulations, did it constitute a denial of FAPE?
8. Is compensatory education an appropriate remedy?

PROCEDURAL HISTORY/SUMMARY:

The student is entitled to receive a free and appropriate public education in the least restrictive environment as defined in the Individuals with Disabilities Education Improvement Act ("IDEA") §20 U. S. C. 1401 et seq. and Connecticut General Statutes § 10-76a et seq.

The parents filed the Due Process Hearing Complaint on July 13, 2017. The Hearing Officer was appointed on July 18, 2017. A prehearing conference was held on July 26, 2017. Hearing dates of September 13, 2017 and September 15, 2017 were scheduled and mailing date for the Final Decision and Order was determined to be September 26, 2017. The Parties exchanged their List of Witnesses on September 4, 2017. Exhibits were submitted on July 5, 2017. On July 10, 2017 the parties electronically communicated with the Hearing Officer that a settlement was reached in principle. The September 13, 2017 hearing was cancelled. The September 15, 2017 hearing proceeded as scheduled wherein the parties advised that a settlement agreement was reached and the parents withdrew their complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is DISMISSED with prejudice.