

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Darien Board of Education

Appearing on behalf of the Parents: Attorney Meredith C. Braxton  
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Appearing on behalf of the Board: Attorney Gwen J. Zittoun  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board's program for the Student for the 2007-08 and 2008-09 were appropriate.
2. If not whether the Student shall be placed at the Cook Center Academy.
3. Whether the Student is entitled to compensatory education.

**SUMMARY:**

This matter was assigned to the previous hearing officer on January 29, 2009 and was re-assigned to the undersigned hearing officer on June 11, 2009. A prehearing status conference convened June 17, 2009.

Based on a thorough review of the file received by the undersigned hearing officer from the State Department of Education from the prior hearing officer who recused himself, the status of all pending requests for extension of the mailing date was ascertained. It was determined that a request for an extension of the mailing date was submitted by the Parent on May 26, 2009. As it was unclear whether the prior hearing officer granted that extension request, the request submitted on May 26, 2009 was granted. Counsel for the Parent filed a notice of appearance on June 19, 2009 and submitted a request for extension of the mailing date of the decision, which was granted. The

mailing date of the decision was extended 30 days to July 15, 2009, and the hearing dates of June 30, 2009 and July 2, 2009 were scheduled.

On June 23, 2009, the Parents' attorney submitted a request to withdraw the case and a request for expungement of documents. The request was denied, as the Parents' attorney was seeking that further action be taken on the case, as well as requesting that the case be withdrawn.

On June 25, 2009, the Parents' attorney submitted a request to withdraw this case, asking that no further action be taken on this case. That request is granted.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**, without prejudice.