

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents: Attorney Phillip Cohn
Goldman Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854-1964

Appearing on behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to provide the Student with a Free Appropriate Public Education (hereinafter "FAPE") in the Least Restrictive Environment (hereinafter "LRE") for the 2011-2012 school year?
2. Did the Board fail to provide the Student with appropriate Extended School Year services for the summer of 2012?
3. Did the Board fail to provide the Student with a FAPE in the LRE for the 2012-2013 school year?
4. If the Board failed to provide Student with FAPE for the 2011-2012 school year, ESY during the summer of 2012, and/or FAPE for the 2012-2013 school year, what should the remedy be?
5. Did the Board's proposed program for Student for the 2013-2014 school year fail to provide the student with FAPE in the LRE?
6. Is the unilateral placement of the Student at the Hampshire Country School the appropriate placement?
7. Do equitable factors weigh in favor of reimbursement of tuition for the unilateral placement to Student by the Board?

PROCEDURAL HISTORY AND SUMMARY:

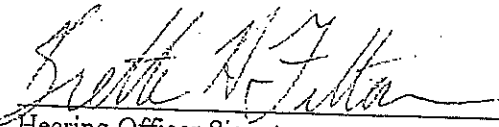
On September 26, 2013, the Fairfield Board of Education received a due process hearing request. The undersigned hearing officer was appointed on September 27, 2013. The original deadline for the mailing of the Final Decision and Order was established as December 10, 2013. During the prehearing conference there was a request for extension of the deadline for the mailing of the Final Decision and Order so that the parties could engage in mediation on November 26, 2013. This request was granted and a new deadline for the mailing of the Final Decision and Order was established as January 9, 2013. On November 27, 2013, Attorney for the Student withdrew Student's hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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(i)(2)(A).


Hearing Officer Signature

Brette H. Fitton
Hearing Officer Name in Print