

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Fairfield Board of Education

Appearing on behalf of the Student: Attorney Andrew Feinstein
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board of Education: Attorney Michelle Laubin
Berchem, Moses & Devlin
75 Broad St
Milford, CT 06460

Appearing before: Attorney Ann F. Bird, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education identify the Student as eligible for special education and related services in a timely fashion?
2. Did the Board of Education provide the Student with a free appropriate public education during the 2013-14 School Year?
3. Did the Board of Education provide the Student with a free appropriate public education during the 2014-15 School Year?
4. If the Board of Education did not identify the Student as eligible in a timely manner or provide the student with a free appropriate public education during the 2013-14 School Year or the 2014-15 School Year, is the Student entitled to compensatory education services and/or reimbursement for therapy and evaluations obtained by the Student privately and/or reimbursement for the expense of the Student's program at the Easton Country Day School during the 2014-15 School year, including related services and transportation?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on December 16, 2014. The Impartial Hearing Officer was appointed to hear the case on December 19, 2014. A telephonic pre-hearing conference was held on January 6, 2015. Attorney Andrew Feinstein appeared on behalf of the Student and Attorney Michelle Laubin appeared on behalf of the Board of Education. A hearing was scheduled for March 11, 2015.

On January 6, 2015, the Student requested a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in order to allow the parties an opportunity to participate in mediation. The request was granted. On February 17, 2015, the Student requested that additional hearings be scheduled. Three hearing dates in March and April 2015 were added.

March 25, 2015

Final Decision and Order 15-0280

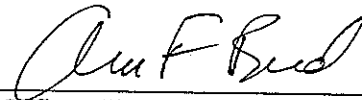
On March 3, 2015, the Student reported that the parties were engaged in settlement negotiations and requested that the hearing of March 11, 2015 be cancelled. The request was granted. On March 20, 2015, the Student reported that the dispute had been resolved, and requested that the case be dismissed without prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is dismissed without prejudice.

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

ANN F BIRD

Hearing Officer Name in Print