

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Oxford Board of Education

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

Appearing on behalf of the Student: Parent, *Pro Se*

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the Board of Education's evaluation of the Student appropriate?
2. Did the Board of Education provide the Student with a free appropriate public education from May 2, 2015 forward?
3. If not, was the Notre Dame High School appropriate for the Student?
4. If Notre Dame High School was appropriate for the Student, is the Student entitled to reimbursement for the expense of Notre Dame High School?
5. Is the Student entitled to reimbursement for the expense of Lindamood Bell services?

**PROCEDURAL HISTORY:**

The Oxford Board of Education requested a special education due process hearing in this matter on April 21, 2015. A telephonic pre-hearing conference was held on May 4, 2015. The Student's parent appeared on behalf of the Student and Attorney Michelle Laubin appeared on behalf of the Board of Education. An evidentiary hearing was initially scheduled for May 28, 2015.

Subsequently, on May 22, 2015 the Student requested a special education due process hearing claiming related issues against the Board of Education. It was anticipated that the Student's case would be consolidated with the Board of Education's case so that the issues could all be heard together. In light of this development, the hearing scheduled for May 28, 2015 was cancelled. On June 22, 2015, the two cases were consolidated.

In the meantime, on May 25, 2015, Counsel for the Board of Education submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to July 2, 2015. The Student did not object to the requested postponement and it was granted. Subsequently, when the two cases were consolidated, the timeline to conduct the hearing and file the final decision for both cases was reset to August 5, 2015.

A prehearing conference was convened on July 14, 2015 to schedule hearing dates for the case. The hearing was scheduled for September 23, 2015 and September 24, 2015.

On July 14, 2015, the Oxford Board of Education requested a second extension of the timelines to conduct the hearing and issue the final decision to September 4, 2015 in order to accommodate the hearing schedule. Over the Student's objection, the extension was granted, and the deadline to issue the final decision was extended to September 4, 2015.

On August 25, 2015 the Board of Education reported that the parties scheduled a continued mediation for this case in mid September, and requested a further 30-day extension of the deadline for issuing the final decision in this case to October 2, 2015. The request was granted.

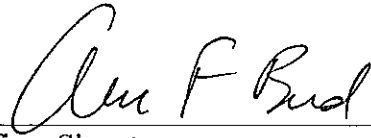
On September 21, 2015, the Board reported that the parties had successfully mediated the matter and requested cancellation of the hearings. The request was granted. The Board requested that the matter be dismissed. On September 24, 2015 the Student also requested that the matter be dismissed.

**FINAL DECISION AND ORDER:**

It is ordered that the requests of the Oxford Board of Education and of the Student for dismissal are granted and this matter 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).



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Hearing Officer Signature

ANN F BIRD

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Hearing Officer      Name in Print