

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Student: Attorney Phillip Cohn  
Goldman, Gruder & Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06584

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 District fail to provide Student with a Free Appropriate Public Education ("FAPE") for the 2013-2014 school year?
2. Did the District fail to provide Student with a FAPE for the 2014-2015 school year?
3. Is the District's proposed program for the 2015-2016 school year appropriate?
4. If the District's proposed program for the 2015-2016 school year is not appropriate, does the Links Academy provide an appropriate program?

**PROCEDURAL HISTORY AND SUMMARY:**

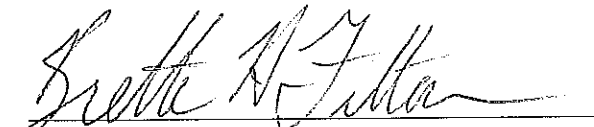
On June 11, 2015, the Board received Parents' request for a Special Education Due Process Hearing. The Hearing Officer was appointed on June 15, 2015. During the prehearing conference held on June 30, 2015, hearing dates of September 4, 2015 and September 29, 2015 were set and the deadline for mailing the Final Decision and Order was established as August 25, 2015. On June 30, 2015, Attorney for the Parents filed a request for an extension of the mailing deadline in order to accommodate the agreed upon hearing date schedule. There was no objection to this request from the Board. After a consideration of all of the relevant factors, the request for extension of the deadline for the mailing of the Final Decision and Order was granted and a new deadline of September 24, 2015 was set. On August 28, 2015, Attorney for the Parents requested a postponement of the September 4, 2015 hearing date and an extension of the deadline for the mailing of the Final Decision and Order in order to finalize a settlement agreement. This request was granted and October 23, 2015 was set as the new mailing deadline. On September 23, 2015, the Attorney for Parents withdrew the request for a Special Education Due Process Hearing with prejudice.

**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