

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parent:

Attorney Andrew Feinstein  
Attorney at Law, LLC  
86 Denison Avenue  
Mystic, CT 06355

Appearing on behalf of the Board:

Attorney Michelle Laubin  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06355

Appearing before:

Robert L. Skelley, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Fairfield Board of Education ("Board") fail to provide the Student with a free and appropriate public education ("FAPE") for the 2012-2013 (commencing November 6, 2012) academic years?
2. Did the Board fail to provide the Student with a FAPE for the 2013-2014 academic years?
3. Did the Board fail to provide the Student with a FAPE for the 2014-2015 academic years?
4. Did the provision of a FAPE for any of the time periods listed in numbers 1, 2, or 3 require an extended school year?
5. Are the Parents entitled to reimbursement for their unilateral placement of the Student at Eagle Hill Southport (August 2014 forward)?
6. Are the Parents entitled to reimbursement for the costs of the independent psycho-educational evaluations completed by the Soifer Center during the summer of 2014?
7. If there was a denial of FAPE for any of the issues listed in numbers 1-6, what would be the appropriate remedy?

**PROCEDURAL HISTORY:**

This matter was filed by the Parents on November 7, 2014. A prehearing conference was held on December 4, 2014, from which the issues enumerated above were identified. An initial due process hearing date was set for January 29, 2015. The Parents filed a Motion to extend the final decision and order date to accommodate a mediation date of January 14, 2015. The request to extend was granted, the final decision and order date was extended to February 20, 2015. On January 15, 2015, counsel for the Parents notified the Hearing Officer that mediation had been successful and that the Parents were withdrawing the request for due process, with prejudice.

**FINAL DECISION AND ORDER:**

With the withdrawal of the complaint by the Parents on January 15, 2015, and with no further issues to be decided, this matter is DISMISSED, *with 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

Robert L. Skelley, Esq.

Hearing Officer

Name in Print