

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Fairfield Board of Education and Student

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

Appearing on behalf of the Student: Attorney Nora Belanger
Law Office of Nora Belanger LLC
161 East Avenue Ste 104
Norwalk, CT 06851

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Should the Student be evaluated in the areas of cognitive, achievement, learning, memory and social-emotional functioning over the parents' objection?
2. Should the Board of Education's physician have a medical consultation with the Student's medical team?

PROCEDURAL HISTORY:

The Fairfield Board of Education filed this due process case on August 24, 2016. This Impartial Hearing Officer was appointed to handle the case on August 25, 2016. Prehearing conferences were conducted on September 13, 2016 and October 11, 2016. Attorney Nora Belanger appeared on behalf of the Student and Attorney Michelle Laubin appeared on behalf of the Board of Education.

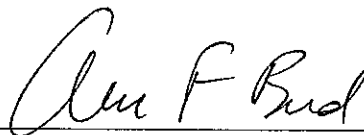
The deadline for submitting the final decision was established to be October 7, 2016. On September 12, 2016, the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to November 4, 2016. The Student consented to the requested postponement and it was granted. An evidentiary hearing was scheduled for November 10, 2016. Subsequently, the deadline for filing the final decision was again extended, this time to December 2, 2016 to accommodate the hearing. On November 4, 2016, the Board of Education reported that the Student withdrew from the Fairfield Public Schools and requested that this matter be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Board of Education's request is granted and the 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).



Hearing Officer Signature

Ann F Bird

Hearing Officer

Name in Print