

October 1, 2013

Final Decision and Order 14-0005

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. 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: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board failed to properly identify the Student as eligible for special education from July 1, 2011 to December 13, 2011;
2. Whether the Board failed to offer the Student a program which provided him with a free appropriate public education [FAPE] from December 13, 2011 to the end of the 2011-12 school year;
3. Whether the Board failed to offer the Student FAPE for the 2012-13 and 2013-14 school years and ESY 2013;
4. Whether the Parents' placement of the Student at Aspiro Vantage Point Wilderness Program from January 15, 2013 to March 27, 2013 was appropriate and shall be reimbursed;
5. Whether the Parents' placement of the Student at Discovery Ranch from March 27, 2013 to the end of the 2012-13 school year was appropriate and shall be reimbursed;
6. Whether the Discovery Ranch is an appropriate placement for the Student for ESY 2013 and the 2013-14 school year;
7. Whether the Board shall reimburse the Parents for the educational evaluation and placement evaluation by Dr. Laura Seese;
8. Whether the Student is entitled to compensatory education.

PROCEDURAL HISTORY/DISCUSSION:

This hearing request was received by the Board on July 1, 2013, and a prehearing conference convened on July 8, 2013. At the prehearing conference the attorneys for both parties confirmed that the parties had agreed to mediate this case.

The hearing convened on August 20, 2013 and continued to October 3, 2013. On October 1, 2013, prior to the second hearing date, the Parents' attorney submitted notification that a settlement agreement had been reached and requested to withdraw the request for due process. Therefore, this matter is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.