

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Fairfield Board of Education

Appearing on behalf of the Parent: Attorney Nora A. Belanger
Law Office of Nora A. Belanger
10 Wall Street
Norwalk, CT 06850

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

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by the Student via letter dated August 11, 2009. It was received by the Board of Education on the same date. Therefore, the 30-day resolution period ran through September 10, 2009. The original deadline for mailing the final decision and order was October 25, 2009.

A pre-hearing conference was held on September 3, 2009. Attorney Belanger appeared on behalf of the Student and Attorney Laubin appeared on behalf of the Board of Education.

ISSUES:

The following issues were identified:

1. Did the Board of Education provide a free appropriate public education to Student during the 2007-08 school year?
2. Did the Board of Education provide a free appropriate public education to Student during the 2008-09 school year?
3. Did the Board of Education propose a free appropriate public education to Student for the 2009-10 school year?
4. Did the Board of Education fail to timely provide a program so that the Student could attend school?
5. Did the Board of Education allow the Parent to be equal members of the IEP team process?

6. Are the Parents entitled to reimbursement from the Board of Education for tutoring, services, and evaluations?
7. Must the Board of Education provide outplacement at Windward School, related services, and transportation for the 2009-10 school year?
8. Is Student entitled to compensatory education in the form of an additional year at Windward School?

EXTENSION OF MAILING DATE:

Via letter dated September 10, 2009, the Student requested a thirty-day extension of the mailing date to permit the parties to participate in mediation. The request was granted after full consideration of the positions of the parties and the deadline for mailing the final decision and order was extended until November 24, 2009.

HEARING DATES:

The hearing was scheduled to convene on Friday, October 23, 2009, Thursday, October 29, 2009 and Tuesday, November 3, 2009.

RESOLUTION:

The parties participated in mediation on October 2, 2009. Via letter dated October 7, 2009, Attorney Belanger indicated that the parties had reached a settlement and that the Parents withdraw their due process request with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.