

August 3, 2011

Final Decision and Order 11-0512

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents: Attorney Andrew Feinstein
86 Denison Ave.
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's proposed program for the Student for the 2011-12 school year is appropriate;
2. Whether the Board's actions in impeding the Parents' opportunity to participate in the decision-making process regarding the provision of a free appropriate public education to the Student were procedural violations which resulted in a denial of FAPE;
3. Whether the Parents' placement of the Student at Foundation School is appropriate and shall be reimbursed, including the cost of transportation.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was received by the Board on June 10, 2011 and a prehearing conference convened on June 28, 2011. The parties agreed to mediation, and the mediation was scheduled for July 27, 2011. On August 2 the Parents' attorney submitted notification that the matter had been resolved at mediation and the request for due process was withdrawn with prejudice. Therefore, this matter is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.