

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parent:

Andrew A. Feinstein, Esq.
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board:

Michelle Laubin, Esq.
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide Student with FAPE for the two year period preceding May 22, 2015?
2. Did the Board offer an appropriate program for the remainder of the 2014-2015 and 2015-2016 school year?
3. Can the Student be educated in a general education setting?
4. If not, is Winston Preparatory School appropriate for the Student?
5. Should the Board be required to financially support Student's tuition and education related expenses at Winston Preparatory School?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on May 22, 2015. The Hearing Officer was appointed on May 27, 2015 and conducted a Prehearing Conference on June 10, 2015. At the Prehearing Conference, the Hearing Officer granted the parties' request to extend the mailing date of the Final Decision from August 4, 2015 to September 4, 2015 so that they could engage in mediation. The hearing was scheduled for August 25, 2015. On August 14, 2015, the Parent's attorney reported to the Hearing Officer that the Parent was withdrawing the Due Process Complaint without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without 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

Sylvia Ho

Hearing Officer

Name in Print