

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parent:

Phillip Cohn, Esq.
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board:

Christopher Tracey, Esq.
Shipman & Goodwin, LLP
300 Atlantic Street
Stamford, CT 06901-3522

Appearing before:

Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the manifestation determination of the District deprive the Student of procedural FAPE?
2. Was the behavior that resulted in the recommendation of expulsion of the Student caused by, or had a direct and substantial relationship to, the Student's disability or a direct result of a failure of the District to implement the Student's IEP?
3. If there has been a violation, what relief should be ordered?
4. Did the District violate §504 of the Rehabilitation Act?

SUMMARY AND PROCEDURAL HISTORY:

Case 20-0059 was commenced by the Parents by request received by the Board on August 12, 2019 which stated a cause of action governed by the rules pertaining to expedited cases. A prehearing conference was held on August 19, 2019. At the prehearing conference, hearing dates were set for September 9, 2019; September 10, 2019; September 13, 2019; September 24, 2019 and September 25, 2019 and it was determined that the hearing was required to conclude on or before September 27, 2019 and that the decision date was October 15, 2019. The hearing dates were subsequently cancelled.

On August 29, 2019, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a settlement in the case and the matter should therefore be dismissed.

FINAL DECISION AND ORDER:

The matter is dismissed.