

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 9 Board of Education

Appearing on behalf of the Parent:

Piper Paul, Esq.
Piper Paul Law, LLC
1465 Post Road East, #100
Westport, CT 06880

Appearing on behalf of the District:

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

Appearing before:

Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District commit procedural violations amounting to a denial of FAPE in failing to evaluate the Student for special education in the 2019-20 school year?
2. If the Student is a student requiring special education, did the District deny her FAPE for the 2019-20 school year by failing to offer her an appropriate program?
3. Did the District commit procedural violations amounting to a denial of FAPE in failing to evaluate the Student for special education in the 2020-21 school year?
4. If the Student is a student requiring special education, did the District deny her FAPE for the 2020-21 school year by failing to offer her an appropriate program?
5. If there has been a denial of FAPE, is Fusion Academy an appropriate placement for the Student?
6. If there has been a denial of FAPE and the program at Fusion Academy is appropriate, should the District be ordered to reimburse the Parents for the tuition incurred for the Student's attendance at Fusion Academy?
7. If there has been a denial of FAPE, should the District be ordered to reimburse the Parents for related expenses, including unreimbursed therapies and consultations, since October of 2019?

SUMMARY AND PROCEDURAL HISTORY:

Case 21-0185 was commenced by the Parents by request received by the District on November 11, 2020. A prehearing conference was held on November 30, 2020. At the prehearing conference, hearing dates were set for January 5, 2021 and January 11, 2021 and the decision date was determined to be January 25, 2021. The hearing dates were later cancelled.

On January 15, 2021, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a resolution and that the matter was being withdrawn with prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.